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8/10/2020*

REPUBLIC OF KENYA



NATIONAL ASSEMBLY
PAPERS LAID

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT

DATE:	08 OCT 2020	DAY:	THURS
TABLED BY	Chair Hon. Fred Kapondi		
CLERK AT THE TABLE:	Molo Minamu		

**SELECT COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND**

**REPORT ON THE NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND (AMENDMENT) BILL NO.58 OF 2019**

CLERK CHAMBERS

DIRECTORATE OF COMMITTEE SERVICES,

PARLIAMENT OF KENYA,

NAIROBI

OCTOBER, 2020

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CHAIRPERSON'S FOREWORD

Pursuant to the provisions of Standing Order 127 of the National Assembly Standing Orders, the First Reading of the Bill was read on Thursday 18th September, 2019 and was committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

In accordance to Article 118 of the Constitution and Standing Order 127 (3) the Committee invited memoranda from the public vide a notice in the local dailies on Friday 20th September, 2019, inviting the public to submit its comments not later than Thursday, 26th September, 2019 at 5.00 pm. Submissions were received from the National Government Constituencies Development Fund Board and Hon (Dr).David Eseli, the sponsor of the bill and Member of Parliament Tongaren Constituency.

The Bill seeks to amend the National Government Constituencies Development Fund Act, of 2015 to provide for an adjustment of the ceiling of the fund to reflect an equitable sharing of the Fund amongst the constituencies.

The Principal Act is amended in section 2 (a) by inserting the word “equity” immediately after the words human dignity appearing in paragraph (e) .And (b) by inserting the following new paragraph immediately after paragraph (o) and (p) would read “ provide for a finance system that promotes equitable society and in particular expenditure that promotes equitable development of the country by making special provisions for marginalized groups and areas pursuant to article 201(b) (iii)of the Constitution”

Section 3 is amended by deleting section 34 and substituting therefore the following new section – “the budget ceiling for each constituency shall be –

- a) Three quarters of the amount specified in section 4(1) divided equally among all constituencies and
- b) An amount equal to a quarter of the amount specified in section 4 (1) divided by the national poverty index multiplied by the constituency poverty index.

The Bill does not delegate any legislative powers nor does it limit fundamental rights of freedom, in addition it does not concern County Governments. The enactment of this Bill shall not occasion additional expenditure of public funds.

From its observations arising from the submissions made, the Committee recommends that: Clause 1 to be amended as proposed; Clause 2 to be amended as proposed; Clause 3 to be amended in the following manner-

Member of Parliament for Lamu East Constituency

Amani National Congress

Jubilee Party

Hon. Onesmus Kimani Ngunjiri, MP

Member of Parliament for Bahati MP

Jubilee Party

Hon. Benjamin Gathiru Mwangi, MP

Member of Parliament for Embakasi Central Constituency

Jubilee Party

Hon. Ferdinand Wanyonyi, MP

Member of Parliament for Kwanza Constituency

Ford Kenya

Hon. Janet Jepkemboi Sitienei, MP

Member of Parliament for Turbo Constituency

Independent Member

Hon. Kasim Tandaza Sawa, MP

Member of Parliament for Matuga Constituency

Hon. Fred Ouda ,MP

Member of Parliament for Kisumu Central Constituency

Orange Democratic Movement

Hon Joshua Mwalyo, MP

Member of Parliament for Masinga Constituency

Wiper Party

Hon. Lodepe Nakara, MP

Member of Parliament for Turkana Central Constituency

ODM Party

1.3 COMMITTEE SECRETARIAT

2. The Committee is facilitated by the following staff: -

Mr. Johnston Kioko Lead Clerk

Clerk Assistant II

Ms. Naserian Lotuai

Clerk Assistant III

Mr. Ahmed Hassan Odhowa

Principal Research Officer

Ms. Brigitta Matti

Legal Counsel II

2.0 ANALYSIS OF THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL, 2018 BY HON. (DR) DAVID SIMIYU ESELI, MP

3. The principal object of the Bill is to amend the National Government Constituencies Development Fund Act, 2015 to provide for a fair and equitable mechanism for allocation for every constituency in each financial year.

4. The Bill provides for the following—

Clause 2 amends section 3—

- a) to insert the word “equity” immediately after the words “human dignity” appearing in paragraph (e); **to align it with Article 10 (2) (b)of the constitution ;**
- b) to insert a new object of the Act that provides for a public finance system that promotes an equitable society and in particular expenditure that promotes equitable development of the country by making special provisions for marginalized groups and areas pursuant to Article 201 (b) (iii) of the Constitution; *this provides for the fundamental aim of the Act ensuring a public finance system that promotes an equitable society;*

Clause 3 amends section 34 by repealing it and replacing it with a new section.

- a) the proposed new section is to provide for a new basis for budget ceiling for each constituency;

5. The proposed ceiling shall be

- a) three quarters of the amount specified in section 4(1) divided equally among all constituencies;
- b) an amount equal to a quarter of the amount specified in section 4(1) divided by the national poverty index multiplied by the constituency poverty index;the proposed new section is to task the Chairperson of the select Committee to table in the House a schedule showing the ceiling for each constituency; and the proposed new section tasks the National Government through the NGCDF committees to facilitate other programmes falling within the purview of the National Government with funds from other sources.

6. The following was observed —
- (a) The Bill does not take into account section 8 (1) of the Act on the Emergency Reserve which is equivalent to five per centum of the Fund and section 23 (1) of the Act which provides for the finances of the Board which is to be not more than five per centum of the Fund ; and
 - (b) Need for consequential amendments to section 8 (1) and 23 (1).

3.0 PUBLIC PARTICIPATION AND STAKEHOLDERS VIEWS/COMMENTS ON THE BILL

7. Pursuant to Article 118 of the Constitution and Standing Order 127 (3) the committee invited memoranda from the public vide a notice in the local dailies. The committee put an advert on the Bill on the local dailies on Friday 20th September, 2019, inviting the public to submit its comments not later than Thursday, 26th September, 2019 at 5.00 pm.

8. The Committee received submissions from—

- (a) Hon. (Dr) David Simiyu Eseli - Bill sponsor ; and
- (b) The National Government Constituencies Development Fund Board.

3.1. Submissions from Hon. (Dr) David Simiyu Eseli , MP

9. Hon. David Simiyu Eseli,MP briefed the Committee on the content of the proposed Bill. He submitted that the Bill proposes that three quarters of funds be shared equally amongst all constituencies and that a quarter be divided on the basis of the National Poverty Index by the Constituency poverty index.

10. He stated that the equal share as stipulated in the NG-CDF Act, 2015 is unconstitutional and that constituencies vary in terms of needs and levels of poverty are also different, most of them being below the poverty line. It is worth noting that equal sharing of the fund would not close the poverty gap index.
11. Hon. David Simiyu Eseli, MP cited an example of Tongaren Constituency which he quoted as having 119 primary schools and 56 Secondary schools, this shows a densely populated area and equal allocation would not address the needs of the Constituency.

3.2 Submissions by the NGCDF Board

12. The National Government Constituency development Fund Board submitted the following -.

Sharing formula

13. The constituency sharing formula provides the basis on how funds are shared among all the 290 constituencies in what the Act refers to as the budget ceiling for each constituency. The sharing of the fund is guided by the NG-CDF Act. it is provided in section 34 of NGCDF Act 2015 (amended 2016). Previously the basis was provided in sections 20(1) and section 19(1) of the CDF Act 2013 and 2003 respectively.

14. The Fund has been in existence for the past seventeen (17) years out of which three sharing basis have been applied. The maiden basis was introduced in 2003 and covered twelve years up-to 2015. However, there was an attempt to revise it in 2013 where in an effort to conform to the Constitution of Kenya, 2010, a basis which adopted the county government sharing formula applicable at any given time was adopted. The basis was not used in any allocation but rather its implementation was dropped following a subsequent amendment to revert to the old formula by National Assembly. This was mainly due to the resultant wide variances between constituencies' allocation and challenge on data availability. A third sharing formula was adopted in 2015 where the Fund is shared equally among all constituencies, the basis is still in force up-to date.

15. Starting 2018, the Board, working with NASC explored a number of variables and scenarios aimed at improving the basis. The following variables were identified in the process:

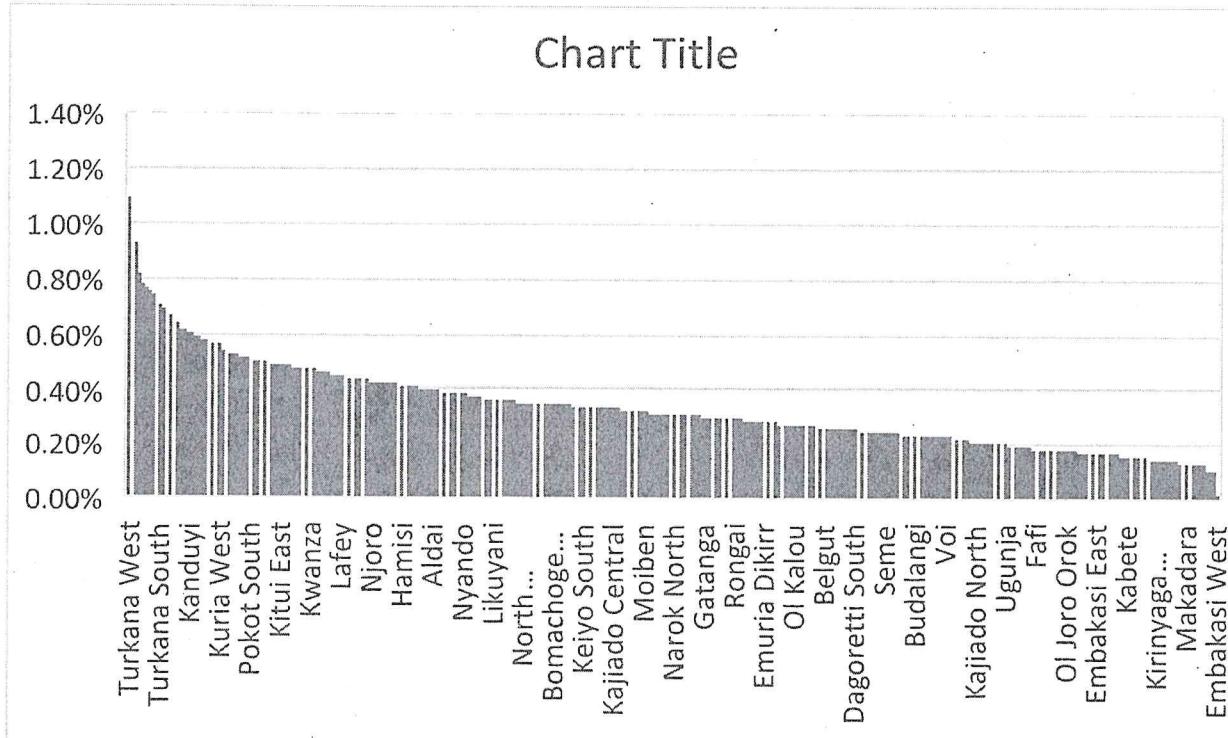
- a. Poverty
- b. Number of wards
- c. Number of public primary schools
- d. Enrolment in public primary schools Population
- e. Constituency area
- f. Secondary school indicators
- g. Temporary classrooms
- h. urban public primary school
- i. level of prudence in utilization of funds

16. The variables were informed by the need to capture the wide range of diversity in socio-economic status among and within constituencies. A number of proposed variables were dropped due to

various reasons. Constituency area was dropped since some constituencies are more expansive especially in the Arid and Semi-Arid areas while urban areas are predominantly small in coverage resulting in skewed results. The secondary indicator majorly depends on primary school graduates in term of demand for education facilities and bursary. Further, pupils normally attend primary schools within their constituency boundaries as opposed to secondary student who can migrate to other constituencies as well as the offloading constituency receiving students from other regions hence the primary school indicators is a good measure and a proxy for secondary school needs.

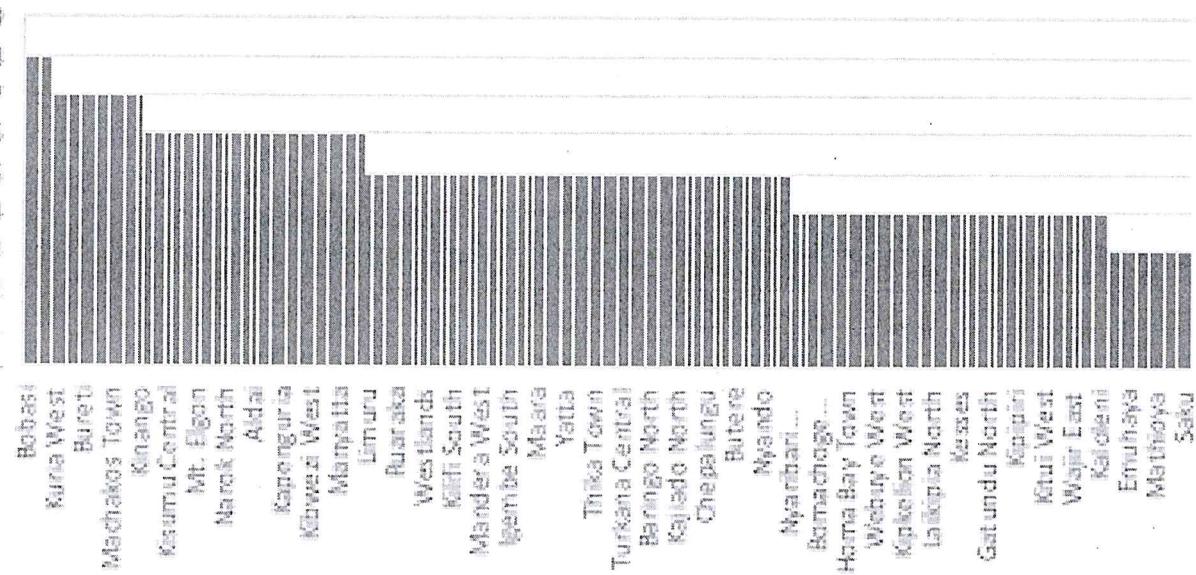
17. Data is critical in basis formulation and implementation; lack of comprehensive data on temporary classroom and level of prudence utilization lead to their expunge. Urban public primary schools are included in the total schools and therefore its inclusion would have led to double counting. This therefore means that the only four variables are considered for the proposed scenario as indicated below:

I Poverty

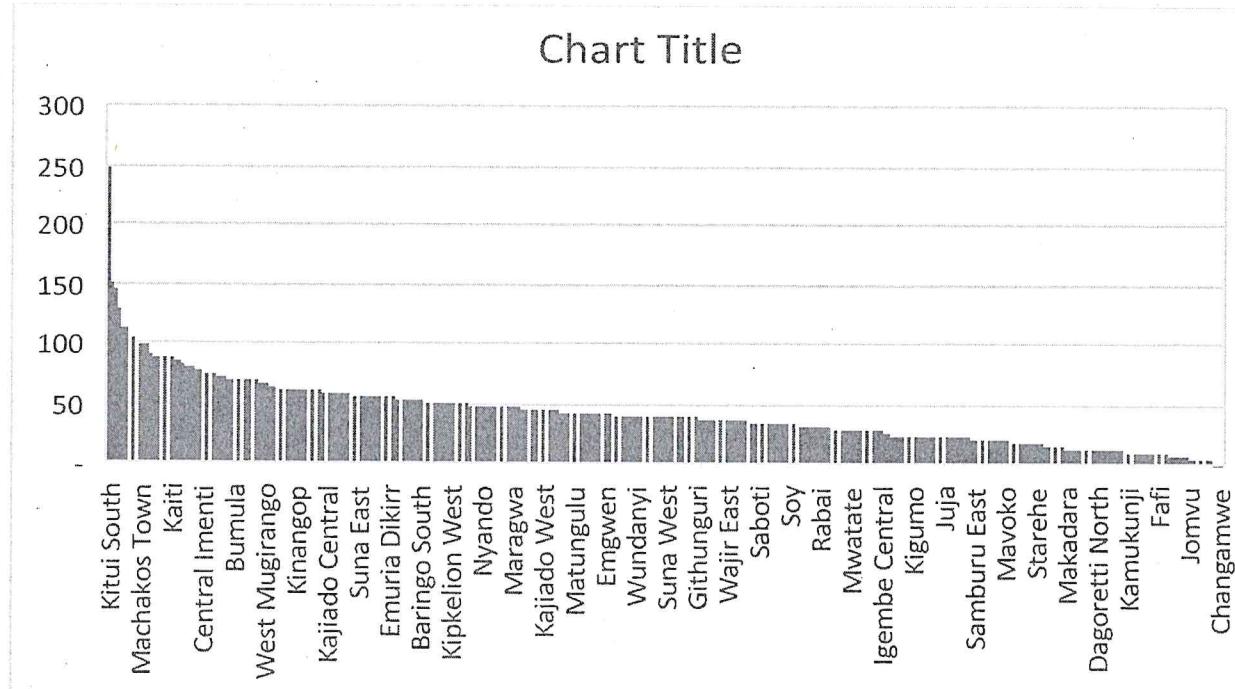


II. No of wards

Ward Distribution



III. No of public primary schools



IV. Enrolment in public primary schools Population

18. High enrolment implies a high demand for facilities and also bursaries once pupils transit to secondary and tertiary level.

The Board used the above four variables to generate several scenarios which were discussed over a period of time. The Board settled on one scenario which allocated 75% of the fund equally and 25% based on number of wards. Using the annual allocation for 2020/2021 (Kshs. 41,714,800,000.00), the

proposal resulted with a high of 156,755,259.00 and the lowest at 124,241,552.00 creating a variance of 32,513,707.00. The effects of this is that 190 and 100 constituencies are better and worse off respectively. The choice of ward as the only variable was informed by the fact that, the Independent Electoral and Boundaries Commission while delimiting the ward boundaries considered a wide number of socio-economic aspects which include the following.

- i. Population
- ii. Geographical features
- iii. Urban centres
- iv. Community of interest
- v. Historical issues
- vi. Economics
- vii. Cultural ties

the following table shows tabulations for a sample of constituencies using the formula as provided in the proposed amendment (poverty index) and the formula as proposed by the Board (Ward based). (See annexed)

	Constituency	Equal share	25% poverty	25% ward
1.	MANDERA EAST	137,088,879	135,025,440	137,247,034
2.	MT ELGON	137,088,879	158,057,057	143,749,776
3.	NYARIBARI CHACHE	137,088,879	139,032,387	143,749,776
4.	LAMU EAST	137,088,879	107,453,353	124,241,552
5.	EMBAKASI CENTRAL	137,088,879	118,283,755	137,247,034
6.	TURBO	137,088,879	142,262,502	143,749,776
7.	IJARA	137,088,879	122,981,612	130,744,293
8.	ELDAMA RAVINE	137,088,879	122,680,653	143,749,776
9.	BOMACHOGE CHACHE	137,088,879	131,015,259	124,241,552
10.	KISUMU CENTRAL	137,088,879	122,030,355	143,749,776

19. The proposed amendments, if approved would revert the sharing formula to the first basis where 75% was shared equally and 25% based on poverty. Its worth noting that the first generation basis was revised due to the following reasons:

- a) A NASC field visit in 2015 observed constituencies getting largest amounts didn't necessarily have commensurate projects;
- b) Concerns were raised in regard to the wide variance in allocations between the highest and lowest for instance, during 2015/2016 FY Mandera South and Lamu East were allocated Kshs.194,480,361.00 and Kshs. 90,133,846.00 respectively creating a variance of Kshs. 104,346,515; and
- c) Constituencies with highest allocation also received equalization Fund created through CoK

20. The effects of the proposed amendment are likely to perpetuate the above noted weaknesses. Scenario developed by the Board and working with the 2020/2021 FY allocation results in a wide variance of Kshs. 113,322,255.00 where Turkana West and Lamu East would receive the highest and lowest at 220,675,608.00 and 107,453,353.00 respectively. Comparing the same with the current sharing formula, the amendments would make 123 constituencies better off while 167 will be worse off.

4.0 THE CONSTITUENCIES DEVELOPMENT CATALYST FUND (CDCF) OF UNITED REPUBLIC OF TANZANIA

21. Arising from findings by the Committee's delegation to the United Republic of Tanzania, it was reported that, the criteria used in the allocation of CDCF in that country is as follows:-

- a) *Equal allocation to all constituencies* 25%
- b) *Population of the constituency* 45%
- c) *Poverty Index in the Constituency* 20%
- d) *Geographical area of the Constituency* 10%

5.0 COMMITTEE OBSERVATIONS

22. After a lengthy deliberation the Committee observed the following, THAT—

- (a) amendments in clause 2 seek to align the objectives of the Act to Articles 10 (2) (b) and 201 (b) (iii) of the constitution and entrench the principles of equity and equitable distribution in the Act;
- (b) the Bill does not take into account sections 8 (1) on Emergency Reserve and 23 (1) on finances of the Board as is provided currently in the Act. There is need for consequential amendments to section 8 (1) and 23 (1) of the Act since the Allocation basis under new proposed section 34 contemplates the use of all the monies to the constituencies. This is to provide for clarity in the legislation; and
- (c) the proposed amendment in Clause 3 largely concentrates on the formula for distribution. Ideally, the formula for distribution among constituencies should be clear, transparent and apply equally to all members of Parliament regardless of political grouping or party. Legislation can make allowances to provide funding also on the basis of distance from capital, level of poverty, size of constituency, size of population or other qualities that affect the provision of services in a constituency.

6.0 COMMITTEE RECOMMENDATION

In the foregoing, the Committee therefore recommends the following—

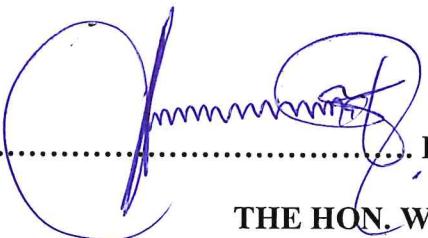
- 1) Clause 1 to be amended as proposed;
- 2) Clause 2 to be amended as proposed;
- 3) Clause 3 to be amended in the following manner—

THAT in the proposed Clause 3, subclause (1) be deleted and substituting therefor the following new subclause—

Basis for budget ceiling.

34. (1) The budget ceiling for each constituency shall be—

- (a) three quarters of the amount specified in section 4(1) divided equally among all constituencies;
- (b) An amount equal to a quarter of the amount specified in section 4(1) divided among all constituencies taking into account the number of wards in each constituency; and
- (c) Subject to the provisions of section 8 (1) and 23(1).

SIGNED.....  DATE..... 8/10/20
THE HON. WAFULA WAMUNYINYI MP

CHAIRPERSON

SELECT COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND.

Annexures

- 1. Constituencies sharing formulae**
- 2. Minutes**
- 3. Committee members adoption list**

No	County	Constituency	Funds available for Distribution			Highest/Lowest CDF Allocation			Better-off/Worse-off Analysis		
			37,715,900,000			156,755,259 Kinangop			No. of Const. above average a		
			Variance			137,088,879,00			No. of Const. below average a		
TOTAL			Equal Budget Alloc/Emergency Per Constituency			137,088,879,00			137,088,879,00		
1	Mombasa	Changamwe	28,286,925,000			578,923			100%		
2	Mombasa	Jomvu	97,541,121			7,192,207			1,450 -		
3	Mombasa	Kisauni	97,541,121			7,192,207			0.24% -		
4	Mombasa	Nyali	97,541,121			7,192,207			0.47% -		
5	Mombasa	Likoni	97,541,121			7,192,207			0.40% -		
6	Mombasa	Mvita	97,541,121			7,192,207			0.35% -		
7	Kwale	Msanabuweni	97,541,121			7,192,207			0.28% -		
8	Kwale	Lunga Lunga	97,541,121			7,192,207			0.45% -		
9	Kwale	Matawa	97,541,121			7,192,207			0.77% -		
10	Kwale	Kinango	97,541,121			7,192,207			0.54% -		
11	Kilifi	Kilifi North	97,541,121			7,192,207			1.10% -		
12	Kilifi	Kilifi South	97,541,121			7,192,207			0.70% -		
13	Kilifi	Kaloleni	97,541,121			7,192,207			0.42% -		
14	Kilifi	Rahai	97,541,121			7,192,207			0.53% -		
15	Kilifi	Ganze	97,541,121			7,192,207			0.28% -		
16	Kilifi	Malindi	97,541,121			7,192,207			0.71% -		
17	Kilifi	Magarini	97,541,121			7,192,207			0.51% -		
18	Tana River	Garsen	97,541,121			7,192,207			0.98% -		
19	Tana River	Gakole	97,541,121			7,192,207			0.40% -		
20	Tana River	Bura	97,541,121			7,192,207			0.19% -		
21	Lamu	Lamu East	97,541,121			7,192,207			0.28% -		
22	Lamu	Lamu West	97,541,121			7,192,207			0.03% -		
23	Taita Taveta	Taveta	97,541,121			7,192,207			0.18% -		
24	Taita Taveta	Wundanyi	97,541,121			7,192,207			0.18% -		
25	Taita Taveta	Mwatate	97,541,121			7,192,207			0.45% -		
26	Taita Taveta	Voi	97,541,121			7,192,207			0.28% -		
27	Garissa	Garissa Township	97,541,121			7,192,207			0.35% -		
28	Garissa	Balimbala	97,541,121			7,192,207			0.18% -		
29	Garissa	Lagdera	97,541,121			7,192,207			0.24% -		
30	Dedabab	Dedabab	97,541,121			7,192,207			0.19% -		
31	Garissa	Fafi	97,541,121			7,192,207			0.22% -		
32	Garissa	Jiara	97,541,121			7,192,207			0.24% -		
33	Wajir	Wajir North	97,541,121			7,192,207			0.19% -		
34	Wajir	Wajir East	97,541,121			7,192,207			0.41% -		
35	Wajir	Tarbaij	97,541,121			7,192,207			0.18% -		
36	Wajir	Wajir West	97,541,121			7,192,207			0.31% -		
37	Wajir	Elias	97,541,121			7,192,207			0.31% -		
38	Wajir	Wajir South	97,541,121			7,192,207			0.20% -		
39	Mandera	Mandera West	97,541,121			7,192,207			0.19% -		
40	Mandera	Banissa	97,541,121			7,192,207			0.11% -		
41	Mandera	Mandera North	97,541,121			7,192,207			0.31% -		
42	Mandera	Mandera South	97,541,121			7,192,207			0.27% -		
43	Mandera	Mandera East	97,541,121			7,192,207			0.25% -		
44	Mandera	Lafey	97,541,121			7,192,207			0.35% -		
45	Marsabit	Moyale	97,541,121			7,192,207			0.46% -		
46	Marsabit	North Horr	97,541,121			7,192,207			0.44% -		
47	Marsabit	Saku	97,541,121			7,192,207			0.32% -		
48	Marsabit	Iksamis	97,541,121			7,192,207			0.15% -		
49	Isiolo	Isiolo North	97,541,121			7,192,207			0.79% -		
50	Isiolo	Isiolo South	97,541,121			7,192,207			0.32% -		
51	Meru	Igembe South	97,541,121			7,192,207			0.19% -		
52	Meru	Igembe Central	97,541,121			7,192,207			0.44% -		
53	Meru	Igembe North	97,541,121			7,192,207			0.35% -		
54	Meru	Tigania West	97,541,121			7,192,207			0.42% -		
55	Meru	Tigania East	97,541,121			7,192,207			0.19% -		
56	Meru	North Imenti	97,541,121			7,192,207			0.34% -		
			32,513,707			3,930			1,033		
			32,513,707			3,930			0.28% -		
			32,513,707			3,930			7		
			32,513,707			3,930			0.15% -		
			32,513,707			3,930			3		
			32,513,707			3,930			0.29% -		
			32,513,707			3,930			5		
			32,513,707			3,930			0.73% -		
			32,513,707			3,930			5		
			32,513,707			3,930			0.33% -		
			32,513,707			3,930			5		
			32,513,707			3,930			0.33% -		
			32,513,707			3,930			5		
			32,513,707			3,930			0.16% -		
			32,513,707			3,930			5		
			32,513,707			3,930			0.16% -		
			32,513,707								

123	Turkana	Turkana North	97,541,121	7,192,207	18,153	-	0.83%	-	6	39,016,448	-
124	Turkana	Turkana West	97,541,121	7,192,207	17,266	-	1.23%	-	7	45,519,190	-
125	Turkana	Turkana Central	97,541,121	7,192,207	5,676	-	0.65%	-	5	34,513,707	-
126	Turkana	Loinna	97,541,121	7,192,207	8,915	-	0.68%	-	4	26,010,966	-
127	Turkana	Turkana South	97,541,121	7,192,207	7,364	-	0.74%	-	5	34,513,707	-
128	Turkana	Turkana East	97,541,121	7,192,207	11,307	-	0.53%	-	3	35,016,448	-
129	West Pokot	Kapenguria	97,541,121	7,192,207	1,072	-	0.50%	-	6	39,016,448	-
130	West Pokot	Sigor	97,541,121	7,192,207	2,384	-	0.36%	-	4	26,010,966	-
131	West Pokot	Keichellia	97,541,121	7,192,207	3,856	-	0.75%	-	6	36,016,448	-
132	West Pokot	Pokot South	97,541,121	7,192,207	1,014	-	0.52%	-	4	26,010,966	-
133	Samburu	Samburu West	97,541,121	7,192,207	6,937	-	0.37%	-	5	32,513,707	-
134	Samburu	Samburu North	97,541,121	7,192,207	4,036	-	0.56%	-	6	39,016,448	-
135	Samburu	Samburu East	97,541,121	7,192,207	10,050	-	0.26%	-	4	26,010,966	-
136	Trans Nzoia	Kwanza	97,541,121	7,192,207	512	-	0.48%	-	4	26,010,966	-
137	Trans Nzoia	Endebess	97,541,121	7,192,207	680	-	0.26%	-	3	19,016,448	-
138	Trans Nzoia	Saboti	97,541,121	7,192,207	426	-	0.36%	-	5	32,513,707	-
139	Trans Nzoia	Kibinini	97,541,121	7,192,207	319	-	0.18%	-	6	39,016,448	-
140	Trans Nzoia	Cherangany	97,541,121	7,192,207	557	-	0.32%	-	7	45,519,190	-
141	Usini Gishu	Soy	97,541,121	7,192,207	768	-	0.44%	-	7	45,519,190	-
142	Usini Gishu	Turbo	97,541,121	7,192,207	323	-	0.10%	-	6	39,016,448	-
143	Usini Gishu	Moiben	97,541,121	7,192,207	777	-	0.33%	-	5	32,513,707	-
144	Usini Gishu	Ainabkoi	97,541,121	7,192,207	480	-	0.23%	-	3	19,016,448	-
145	Usini Gishu	Kasperet	97,541,121	7,192,207	301	-	0.19%	-	5	32,513,707	-
146	Usini Gishu	Kesses	97,541,121	7,192,207	697	-	0.29%	-	4	26,010,966	-
147	Eげyo-マラク	Makaruket East	97,541,121	7,192,207	783	-	0.31%	-	4	26,010,966	-
148	Eげyo-マラク	Makaruket West	97,541,121	7,192,207	805	-	0.40%	-	6	39,016,448	-
149	Eげyo-マラク	Keijo North	97,541,121	7,192,207	541	-	0.16%	-	4	26,010,966	-
150	Eげyo-マラク	Keijo South	97,541,121	7,192,207	898	-	0.35%	-	6	39,016,448	-
151	Nandi	Tinderet	97,541,121	7,192,207	380	-	0.37%	-	4	26,010,966	-
152	Nandi	Adlai	97,541,121	7,192,207	526	-	0.40%	-	6	39,016,448	-
153	Nandi	Handi Hills	97,541,121	7,192,207	537	-	0.24%	-	4	26,010,966	-
154	Nandi	Chesumei	97,541,121	7,192,207	496	-	0.26%	-	5	32,513,707	-
155	Nandi	Fengwen	97,541,121	7,192,207	208	-	0.25%	-	4	26,010,966	-
156	Nandi	Wosop	97,541,121	7,192,207	736	-	0.35%	-	7	45,519,190	-
157	Baringo	Tiacy	97,541,121	7,192,207	4,252	-	0.61%	-	7	45,519,190	-
158	Baringo	Baringo North	97,541,121	7,192,207	1,695	-	0.35%	-	5	32,513,707	-
159	Baringo	Baringo Central	97,541,121	7,192,207	800	-	0.24%	-	4	26,010,966	-
160	Baringo	Baringo South	97,541,121	7,192,207	1,648	-	0.26%	-	4	26,010,966	-
161	Baringo	Mogotio	97,541,121	7,192,207	1,364	-	0.17%	-	3	19,016,448	-
162	Baringo	Elidiana Ravine	97,541,121	7,192,207	942	-	0.19%	-	6	39,016,448	-
163	Laikipia	Laikipia West	97,541,121	7,192,207	926	-	0.60%	-	6	39,016,448	-
164	Laikipia	Laikipia East	97,541,121	7,192,207	2,016	-	0.27%	-	5	32,513,707	-
165	Laikipia	Laikipia North	97,541,121	7,192,207	6,287	-	0.31%	-	4	26,010,966	-
166	Nakuru	Molo	97,541,121	7,192,207	479	-	0.20%	-	4	26,010,966	-
167	Nakuru	Nioro	97,541,121	7,192,207	719	-	0.44%	-	6	39,016,448	-
168	Nakuru	Nalawsha	97,541,121	7,192,207	1,950	-	0.45%	-	8	52,021,331	-
169	Nakuru	Gilgil	97,541,121	7,192,207	1,074	-	0.30%	-	5	32,513,707	-
170	Nakuru	Kuresoi South	97,541,121	7,192,207	977	-	0.34%	-	4	26,010,966	-
171	Nakuru	Kuresoi North	97,541,121	7,192,207	619	-	0.33%	-	4	26,010,966	-
172	Nakuru	Subukuri	97,541,121	7,192,207	467	-	0.25%	-	3	19,016,448	-
173	Nakuru	Rongai	97,541,121	7,192,207	1,072	-	0.30%	-	5	32,513,707	-
174	Nakuru	Bahati	97,541,121	7,192,207	253	-	0.32%	-	6	39,016,448	-
175	Nakuru	Nakuru Town West	97,541,121	7,192,207	720	-	0.20%	-	4	26,010,966	-
176	Nakuru	Nakuru Town East	97,541,121	7,192,207	969	-	0.50%	-	6	39,016,448	-
177	Nakuru	Kileonis	97,541,121	7,192,207	2,355	-	0.22%	-	5	32,513,707	-
178	Kaijado	Dhikir	97,541,121	7,192,207	1,596	-	0.48%	-	6	39,016,448	-
179	Narok	Narok North	97,541,121	7,192,207	1,250	-	0.22%	-	5	32,513,707	-
180	Narok	Narok East	97,541,121	7,192,207	2,908	-	0.32%	-	6	39,016,448	-
181	Narok	Narok	97,541,121	7,192,207	720	-	0.30%	-	5	32,513,707	-
182	Narok	Narok West	97,541,121	7,192,207	969	-	0.39%	-	5	32,513,707	-
183	Kaijado	Kaijado North	97,541,121	7,192,207	160	-	0.43%	-	5	32,513,707	-
184	Kaijado	Kaijado Central	97,541,121	7,192,207	5,311	-	0.34%	-	4	26,010,966	-
185	Kaijado	Kaijado East	97,541,121	7,192,207	972	-	0.24%	-	5	32,513,707	-
186	Kaijado	Kaijado West	97,541,121	7,192,207	2,579	-	0.39%	-	5	32,513,707	-
187	Kaijado	Kaijado South	97,541,121	7,192,207	6,356	-	0.43%	-	5	32,513,707	-
188	Kericho	Kipkelion East	97,541,121	7,192,207	774	-	0.29%	-	4	26,010,966	-

**MINUTES OF THE 53RD MEETING OF THE NATIONAL ASSEMBLY SELECT COMMITTEE
ON GOVERNMENT CONSTITUENCY DEVELOPMENT FUND HELD ON OCTOBER 3RD
, 2020, 2.30PM AT ENGLISH POINT MARINA**

MEMBERS PRESENT

- | | |
|---|-------------------|
| 1. Hon. Wafula Wamunyinyi, M.P | -Chairperson |
| 2. Hon. Omar Mohamed Maalim Hassan, M.P | -Vice Chairperson |
| 3. Hon. Richard Nyagaka Tongi, M.P | |
| 4. Hon. Benjamin Gathiru Mwangi, M.P | |
| 5. Hon. Janet Jepkemboi Sitienei, M.P | |
| 6. Hon. Ferdinand Wanyonyi, M.P | |
| 7. Hon. George Kariuki Macharia, M.P | |
| 8. Hon. Fred Kapondi Chesebe, M.P | |
| 9. Hon. Sophia Abdi Noor, M.P | |
| 10. Hon. Cornelly Serem, MP | |
| 11. Hon. Sharif Athman Ali,MP | |
| 12. Hon. Moses Lessonet, M.P | |

APOLOGIES

1. Hon. Josphat Gichunge Mwirabua Kabeabea, M.P
2. Hon. Joseph Oyula, M.P
3. Hon. Joshua Mwalyo, M.P
4. Hon. Onesmas Kimani Ngunjiri, MP
5. Hon. John Lodepe Nakara, M.P
6. Hon. Fred Ouda, M.P
7. Hon. Kassim Sawa Tandaza, M.P

IN ATTENDANCE: KENYA NATIONAL ASSEMBLY SECRETARIAT

- | | |
|--------------------------|--|
| 5. Mr.Hassan Odhowa | -Principal Research and Policy Analyst |
| 6. Ms. Angeline Naserian | - Clerk Assistant III |
| 7. Ms.Brigita Mati | - Legal Counsel |
| 8. Mr. Dennis Mawira | -Audio Officer |

AGENDA

1. Preliminaries
2. Confirmation of minutes
3. Adoption of the report on National Government Constituencies Development Fund (Amendment) Bill No.58 of 2018 by Hon.Dr.David Eseli,MP
4. The Bi-annual Report
5. Adjournment and the date of the next meeting.

MIN. NA/DCS/NG-CDF /2020/163 PRELIMINARIES

The Chairperson called the meeting to order at 2.41pm and said the prayers.

MIN.NA/DCS/NG-CDF/2020/164 ADOPTION OF THE REPORT ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL NO.58 BY HON.DR.DAVID ESELI,MP

The report of the bill was adopted with a recommendation : That In the proposed Clause 3, sub-clause (1) be deleted and substituting therefor the following new sub-clause-That budget ceiling for each constituency shall be, three quarters of the amount specified in section 4(1) divided equally among all constituencies; An amount equal to a quarter of the amount specified in section 4(1) be divided among all constituencies taking into account the number of wards in each constituency and subject to the provisions of section 8 (1) and 23(1)

The report was therefore adopted having been Proposed by Hon. Kapondi Chesebe, MP and seconded by Hon. Richard Tongi,MP.

MIN.NA/DCS/NG-CDF/2020/165 THE BI-ANNUAL REPORT

The Bi-annual report was presented by Mr. Hassan Odhowa,Principal Research Officer and stated that the Select Committee on National Government Constituencies Development Fund is a statutory committee established in accordance with the provisions of section 50 of the NG-CDF Act of 2015 and its functions are to oversee the implementation of this Act, submit a report to the National Assembly after every two years and where necessary, propose amendments to this Act among other functions.

Several issues were raised regarding the report and the Committee made the following resolutions:-That

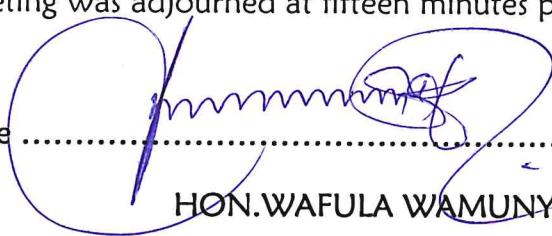
- a) The Committee should purpose to meet the Cabinet Secretary of the National Treasury to finalize and forge a way forward on the outstanding arrears of the Ksh.4.9 billion. Since many projects have stalled due to the arrears hence depriving communities from benefiting from the said projects.
- b) On appointment and removal of Board members from the Board, it was seen that the Cabinet Secretary is being proposed to participate in removal of Board of Directors. It was therefore resolved that NASC should exercise those powers instead of the Cabinet Secretary of the National Treasury.
- c) On legal suits that have been made against the fund it was resolved that the Board should present on the same and be included as an agenda in the retreat program.

It was therefore resolved that the report be cleaned-up and prepared for tabling.

MIN.NA/DCS/NG-CDF/2020/166 ADJOURNMENT

The meeting was adjourned at fifteen minutes past five o'clock

Signature



HON.WAFULA WAMUNYINYI, M.P.

(Chairperson)

Date.....





TWELFTH PARLIAMENT –FOURTH SESSION – 2020

THE NATIONAL ASSEMBLY

ADOPTION LIST

AGENDA: Report on National Government Constituencies Development Fund (Amendment) Hon. esel

DATE: 3rd October 2020 VENUE: English Point Manning

	NAME	SIGNATURE
1.	Hon. Wafula Wamunyinyi, M.P. Chairperson	
2.	Hon. Omar Mohamed Maalim Hassan, M.P. - Vice Chairperson	
3.	Hon. Fred Kapondi Chesebe, M.P.	
4.	Hon. Moses Lessonet, M.P.	
5.	Hon. Richard Nyagaka Tongi, M.P.	
6.	Hon. Sharif Athman Ali, M.P.	
7.	Hon. Sophia Abdi Noor, M.P.	
8.	Hon. Ferdinand Wanyonyi, M.P.	
9.	Hon. John Lodepe Nakara, M.P.	
10.	Hon. Cornelly Serem, MP	
11.	Hon. Onesmas Kimani Ngunjiri, MP	
12.	Hon. Benjamin Gathiru Mwangi, M.P.	
13.	Hon. Janet Jepkemboi Sitienei, M.P.	
14.	Hon. Fred Ouda, M.P.	
15.	Hon. Joshua Mwalyo, M.P.	
16.	Hon. Kassim Sawa Tandaza, M.P.	
17.	Hon. George Kariuki Macharia, M.P.	
18.	Hon. Josphat Gichunge Mwirabua Kabeabea, M.P.	
19.	Hon. Joseph Oyula, M.P.	

SIGN..... DATE..... 3rd October 2020.
COMMITTEE CLERK

