



COUNTY ASSEMBLY OF KISUMU



HANDBOOK ON OPERATIONS OF COMMITTEES



**FIRST EDITION
AUGUST, 2022**

PREFACE

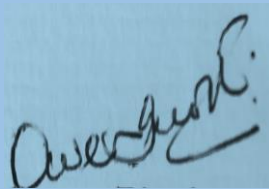
Many legislators find working in select Committees (hereinafter referred to as 'Committees') a fulfilling and enjoyable part of their duties and responsibilities during their parliamentary career. Committees are miniature legislatures operating in an agency relationship with the Legislature. The plenary (House) is structured for debate, ventilation and the making of decisions on varied issues. Select Committees on the other hand are the key arena or legislative laboratories for investigation and detailed scrutiny of issues. Thus, it goes without saying that a sound grasp of the operational mechanisms of Committees, as indeed those of the entire Legislature, is a prerequisite for all parliamentary officers who are expected to include participation in the work of assigned select Committee in their overall parliamentary programme. In addition to fulfilling statutory and procedural obligations, many benefits accrue to an officer, such as; enhanced personal knowledge and understanding of the topical issues of governance since the process of executing mandates of select Committees include, amongst others, interaction at close range with technocrats in the public service, consultants and the public in general. In the process, opportunities arise to facilitate interaction with the public, including the experts and stakeholders which influence a wide range of public interest policy issues brought before the House.

The staff of the Legislature (specifically at secretariats of Committees) is expected to observe political impartiality and undertake their functions in an unbiased and professional manner. The job of the staff is to facilitate and make the operations of Committees effective and efficient in the execution of their mandate and tasks assigned by the House. The Clerk-in-Charge of a Committee and the entire secretariat are expected to work closely with the chairperson and the entire membership. Hence, the secretariat is constantly available to offer the necessary support,

including the interpretation of the mandate, application of statute and procedure.

This handbook is not a substitute for the Constitution, statutes in general or the County Assembly Standing Orders. It is, therefore, incumbent upon readers to study and familiarize themselves with all the legal and procedural aspects of Committees and County Assembly.

The purpose of this handbook is to provide necessary guidelines for members of County Assembly and officers working in Committees to enable them execute their work more effectively.

A handwritten signature in black ink, appearing to read 'Owen Eliud Ojuok', is written on a light-colored rectangular background.

OWEN ELIUD OJUOK

CLERK OF THE COUNTY ASSEMBLY

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CHAPTER ONE

INTRODUCTION

Background

1. Article 176(1) of the Constitution of Kenya, 2010, establishes County Assemblies. The proceedings of the County Assembly, both at plenary and at Committees are open to the public and are conducted in English, Kiswahili and Kenyan Sign Language.

Mandate and Role of County Assembly

2. Pursuant to the provisions of Article 185 of the Constitution, the mandate and role of a County Assembly is 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. Legislative authority of county assemblies. for—
 - (4) A county assembly may receive and approve plans and policies
 - (a) the management and exploitation of the county's resources; and
 - (b) the development and management of its infrastructure and institutions.

3. The mandates of the County Assembly under Section 8 of the County Governments' Act stipulates;-

- (1) The County Assembly shall-
 - (a) vet and approve nominees for appointment to county public offices as may be provided for in this Act or any other law;
 - (b) perform the roles set out under Article 185 of the Constitution;
 - (c) approve the budget and expenditure of the county government in accordance with Article 207 of the Constitution, and the legislation contemplated in Article 220(2) of the Constitution, guided by Articles 201 and 203 of the Constitution;
 - (d) approve the borrowing by the county government in accordance with Article 212 of the Constitution;
 - (e) approve county development planning; and
 - (f) perform any other role as may be set out under the Constitution or legislation.

- (2) If a county assembly fails to enact any particular legislation required to give further effect to any provision of this Act, a corresponding national legislation, if any, shall with necessary modifications apply to the matter in question until the county assembly enacts the required legislation.

Membership of the County Assembly

4. Article 177 of the Constitution 2010 provides that —

- (1) A county assembly consists of—
 - (a) members elected by the registered voters of the wards, each ward constituting a single member constituency, on the same day as a general election of Members of County Assembly, being the second Tuesday in August, in every fifth year;
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- (b) the number of special seat members necessary to ensure that Rev. 2010] Constitution of Kenya 109 no more than two-thirds of the membership of the assembly are of the same gender;
 - (c) the number of members of marginalized groups, including persons with disabilities and the youth, prescribed by an Act of County Assembly; and
 - (d) the Speaker, who is an ex officio member.
 - (2) The members contemplated in clause (1) (b) and (c) shall, in each case, be nominated by political parties in proportion to the seats received in that election in that county by each political party under paragraph (a) in accordance with Article 90.
 - (3) The filling of special seats under clause (1) (b) shall be determined after declaration of elected members from each ward.
 - (4) A county assembly is elected for a term of five years
 - 5. Committees of the County Assembly operate pursuant to the provisions of; the Constitution of Kenya, 2010; County Governments Act, the Standing Orders; enabling Acts e.g. the *County Assemblies Powers and Privileges Act 2017*, Resolutions of the House and established conventions, traditions and practices. The provisions of Section 14(1) of the County Governments' Act which allow the County Assembly to establish Committees and make Standing Orders consistent with the Constitution for the proper conduct of proceedings at the sittings of both the plenary and the Committees.
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CHAPTER TWO

RATIONALE, VALUE AND PURPOSE OF SELECT COMMITTEES

Rationale, Value and Purpose of Select Committees

6. Committees are a vital tool or organ in the working processes of legislatures, without which, the proceedings of a Legislature could grind to a halt from the sheer volume of activities that would have to be considered at the plenary. Committees are agents that enable legislatures to organize their work in such a way as to perform numerous activities simultaneously and expeditiously. These include matters such as:-
 - i) Reviewing legislation;
 - ii) Reviewing and approving the budget and expenditures for the execution of governance;
 - iii) Scrutinizing governance activities, policies and programmes, assessing whether they meet the intended objectives of legislation, policy frameworks and development plans;
 - iv) Conducting investigations on special issues;
 - v) Vetting and approving executive appointments;
 - vi) Providing a platform for public participation in the execution of specified business.

 7. Committees are an efficient way of running the business of the House. Well-functioning Committees expand democratic governance. Committee mandates and membership focus attention on specific issues and engender meaningful deliberations. Committees have defined mandates and memberships. They study an issue or set of issues and then report back to the House. This allows individual Member of County Assembly to focus their attention on a subject matter, study it in detail and deepen their understanding of the issue(s). The Committee setting enhances the ability of Members to be
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productively engaged in the nitty-gritties of the workings of County Assembly and so take ownership of its outcome. Members of County Assembly are able to discuss issues informally, are less constrained by party discipline and are able to develop relationships with colleagues who belong to other parties.



8. Select Committees are mechanisms enabling public engagement and legitimization of the operations of County Assembly. It is a forum for Members to interact and involve the public and various stakeholders in the work of County Assembly. Committees hold hearings and meetings that provide the democratic opportunity for various interest groups (academics, professionals and individual citizens) with varied expertise, to participate by presenting their views on a range of issues.
 9. Committees are a means of establishing institutional leadership and visibility in the public arena. Members, particularly those who have served in particular Committees for long periods, develop expertise. Such members become resourceful on specific issues and are recognized as reference sources by their peers, the public and the media.
 10. The value and benefit accruing from the use of Committees lie in the fact that they perform functions which the House is not fitted to perform in its corporate form, such as:-
 - i) summoning persons to present oral evidence and written memoranda or documents;
 - ii) sitting as frequently as is desirable, including, sitting away from the precincts of the County Assembly and for longer hours;
 - iii) providing an environment that can facilitate presentation of details, sifting through evidence and formulating reasoned conclusions, consistent with both the statutes and procedures;
 - iv) conducting inspection tours, inquiry on matters out of which reports with recommendations are submitted to the House; and,
 - v) forming sub-Committees for the effective and efficient discharge of varied issues within the mandate of the Committees.
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11. These functions are more efficiently carried out by small groups of Members of County Assembly. Among the several advantages of Committees include; the possibility of several of them operating at the same time, thus enabling many matters to be dealt with concurrently and expeditiously. Overall, by concentrating on specific matters or subjects, select Committees also offer the benefits of specialization to both Members of County Assembly and staff. The indelible advantage that underlie evolution of select Committees under the Westminster system was the opportunity they would provide to the Legislature to delve into and deal with virtually all sectors and units of departments within the Executive, by having these assigned to Committees other than dealing with them at the plenary.

Mandate, Establishment and Classification of County Assembly Select Committees

12. There are five general types/ segments of Select Committees, namely:-
 - i) Select Committees
 - ii) Sectoral Committees
 - iii) Joint Committees
 - iv) Ad hoc Committees

Select Committees

The House Keeping Committees are:-

1. County Assembly House Business Committee
 2. Selection Committee
 3. Powers and Privileges
 4. Procedures and Rules Committee
 5. Liaison Committee
 6. Budget Committee
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7. Appointment Committee
8. Public Accounts and Investments Committee
9. Implementation Committee
10. Delegated County Legislation Committee

County Assembly House Business Committee – Standing Orders 154

- (1) The County Assembly Business Committee consists of:-
 - i) The Speaker who shall be the Chairperson
 - ii) The Deputy Speaker/Liaison Chairperson
 - iii) The Leader of Majority Party;
 - iv) The Leader of Minority Leader; and
 - v) Not less than seven and not more than nine other Members, who shall be nominated by County Assembly parties and approved by the County Assembly at the commencement of every Session, reflecting the relative majorities of the seats held by each of the County Assembly parties in the County Assembly and taking into consideration the interests of the Independents.
- (2) The County Assembly Business Committee shall be appointed within seven days of the assembly of a new County Assembly.
- (3) In nominating members to the County Assembly Business Committee, each County Assembly party shall include its Whip into the membership.
- (4) In the absence of the Speaker, the Chairperson of Committees shall chair the meetings of the County Assembly Business Committee.

Mandate

The County Assembly Business Committee shall:-

- (a) prepare and, if necessary, from time to time, adjust the County Assembly Calendar with the approval of the County Assembly;
- (b) monitor and oversee the implementation of the County Assembly business and programmes;
- (c) implement the Standing Orders respecting the scheduling or programming of the business of the County Assembly and the functioning of the Committees;
- (d) may take decisions and issue directives and guidelines to prioritize or postpone any business of the County Assembly acting with the concurrence of the Leader of Majority Party or the Minority Party, as the case may be; and
- (e) consider such matters as may from time to time arise in connection with the business of the County Assembly and shall have and perform such powers and functions as are conferred on and ascribed to it by the Standing Orders or from time to time by the County Assembly.

The chairperson and at least one third of the other members of the Committee shall form a quorum.

If for any reason a member of the Committee is unable to attend, the Leader in the County Assembly of the Party which nominated that Member may appoint another Member in that Member's place for the period for which the Member is unable to attend.

Selection Committee – Standing Orders 155

The Committee on Selection shall be appointed within ten days on assembly of a new County Assembly.

It comprises;

- i) The Leader of the Majority Party who shall be the Chairperson,
- ii) The Leader of the Minority Party; and
- iii) not less than nine and not more than eleven other Members, who shall be nominated by the County Assembly parties and approved by the County Assembly.

Mandate

The Committee shall nominate Members to serve in Committees, save for the membership of the County Assembly Business Committee and Committee on Appointments.

Powers and Privileges Committee – Standing Orders 174

Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute, including the power to summon witnesses, receive evidence and to request for and receive Papers and documents from the Government and the public.

The Procedure and Rules Committee – Standing Orders 190

The Procedure and Rules Committee shall comprise:-

- i) The Speaker as the chairperson
- ii) The Deputy Speaker
- iii) The Leader of the Majority Party
- iv) The Leader of the Minority Party
- v) Whips
- vi) Members of the Speaker’s Panel; and
- vii) Not more than three other Members.

Mandate

The Procedure and Rules Committee:

- (a) shall consider and report on all matters relating to the Standing Orders;
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- (b) may propose amendments to the Standing Orders and any such amendments shall upon approval by the County Assembly, take effect at the time appointed by the County Assembly;
- (c) may propose rules for the orderly and effective conduct of Committee business and any such rules, shall, upon approval by the County Assembly, continue in force until amended or repealed by the County Assembly.
- (d) any rules approved there above shall be annexed to the Standing Orders and shall be binding upon Committees as the Standing Orders.

Liaison Committee – Standing Orders 194

The Liaison Committee consists of;

- i) The Deputy Speaker as the chairperson; and
- ii) Chairpersons of all other Committees of the County Assembly.

Mandate

The Liaison Committee is mandated to:-

- (a) guide and co-ordinate the operations, policies and mandates of all Committees;
 - (b) deliberate on and apportion the annual operating budget among the Committees;
 - (c) consider programmes of all Committees, including their need to travel and sit away from the precincts of the County Assembly;
 - (d) ensure that Committees submit reports as required by these Standing Orders;
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- (e) determine, whenever necessary, the Committee or Committees to deliberate on a matter; and

give such advice relating to the work and mandate of select Committees as it may consider necessary.

County Budget and Appropriations Committee - Standing Orders 189

The Committee comprises;

- i) The Chairperson;
- ii) Deputy Speaker/Liaison;
- iii) Leader of Majority Party;
- iv) Finance Committee Chairperson; and
- v) Not less than 9 and not more than 11 other members

Mandate

The Committee shall:-

- (a) investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget;
- (b) discuss and review the estimates and make recommendations to the County Assembly;
- (c) examine the County Budget Policy Statement presented to the County Assembly;
- (d) examine Bills related to the County Government budget, including Appropriations Bills; and
- (e) evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

The County Budget and Appropriations Committee constituted by the County Assembly immediately following the General Election shall serve for a period of three calendar years and that constituted thereafter shall serve for the remainder of the County Assembly term.

Five Members of the Budget Committee shall constitute a quorum.

The Committee shall invite Chairpersons of all Sectoral Committees to make presentations during the consideration of the budget.

Appointment Committee – Standing Orders 187

The Committee shall be appointed within seven days on assembly of a new County Assembly and shall serve for a period of three years and that appointment thereafter shall serve for the remainder of the term of the County Assembly.

It constitutes:

- i) the Speaker as the Chairperson;
- ii) the Leader of the Majority Party;
- iii) the Leader of the Minority Party; and
- iv) not more than nine other Members nominated by the County Assembly Business Committee, on the basis of proportional party membership in the County Assembly taking into consideration the numerical strength of the parties and interests of independent Members.

In the absence of the Speaker, the Committee shall elect a Member, from amongst its Members to chair the meeting.

The quorum of the Committee on Appointments shall be one half of the Members of the Committee, but the Speaker shall not be counted for the purposes of quorum and shall not vote.

Mandate

The Committee on Appointments shall consider, for approval by the County Assembly, appointments under Articles 179(2) of the Constitution.

Public Accounts and Investment Committee – Standing Orders 188

The Committee constitutes:-

- i) The Chairperson; and
- ii) not more than eight other Members.

Mandate

The Public Accounts and Investments Committee shall:-

- (a) examination of the accounts showing the appropriations of the sum voted by the County Assembly to meet the public expenditure and of such other accounts laid before the House as the Committee may think fit; and
- (b) examination of the working of the public investments; and
- (c) Any other functions as provided in the Standing Orders and any other enabling laws.

The Committee constituted immediately following the General Election shall serve for a period of three calendar years and that constituted thereafter shall serve for the remainder of the County Assembly term.

The Chairperson and Vice Chairperson shall be elected from amongst its Members.

Implementation Committee – Standing Orders 191

The Committee constitutes:-

- i) The Chairperson; and
- ii) not less than eight and not more than ten other Members.

Mandate

The Committee:-

- 1) Shall scrutinize the resolutions of the County Assembly (including adopted Committee reports), Petitions and the undertakings given by the County Executive Committee and examine—
 - (a) 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
 - (b) whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.
- 2) May propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status of projects and programmes under his or her docket without justifiable reasons.

Delegated County Legislation Committee – Standing Orders 192

The Committee comprises:

- i) The Chairperson; and
- ii) Not less than eight and not more than ten other Members.

Mandate

The Committee shall consider in respect of any statutory instrument whether it:-

- (a) is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;
 - (b) infringes on fundamental rights and freedoms of the public;
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- (c) contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of County Assembly;
 - (d) contains imposition of taxation;
 - (e) directly or indirectly bars the jurisdiction of the Courts;
 - (f) gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
 - (g) involves expenditure from the Consolidated Fund or other public revenues;
 - (h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for elucidation;
 - (i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
 - (j) appears to have had unjustifiable delay in its publication or laying before County Assembly;
 - (k) makes rights, liberties or obligations unduly dependent upon nonreviewable decisions;
 - (l) makes rights, liberties or obligations unduly dependent on insufficiently defined administrative powers;
 - (m) inappropriately delegates legislative powers;
 - (n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;
 - (o) appears for any reason to infringe on the rule of law;
 - (p) inadequately subjects the exercise of legislative power to County Assembly scrutiny; and
 - (q) accords to any other reason that the Committee considers fit to examine.
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Sectoral Committees – Standing Orders 193

13. The Sectoral Committees shall be as set out in the Second Schedule of the Standing Orders. Standing Orders provide for the establishment of Sectoral Committees whose members are nominated by the County Assembly Business Committee in consultation with County Assembly parties at the commencement of every County Assembly.

A Member appointed to a Sectoral Committee at the commencement of a County Assembly or at any other time during the term of that County Assembly shall, unless the County Assembly otherwise resolves, serve for the term of that County Assembly.

Unless the County Assembly otherwise directs, the Sectoral Committees and the subject matters respectively assigned to them shall be as set out in the Second Schedule of the County Assembly Standing Orders (*See Appendix 1*).

Joint Committees – Standing Orders 185

14. Two or more Committees of the County Assembly considering similar matters may, with the approval by Speaker, hold joint sittings.

- (1) The Chairperson of a joint sitting of such Committees shall be based on the ranking order set out under paragraph (3) of Standing Orders 3 (Proceedings on assembly of a new County Assembly) the second ranking Member of the other Committee shall deputize.
 - (2) The quorum of a joint sitting of two or more Committees shall be the number obtained by adding the respective quorum of each Committee, excluding the Chairpersons.
 - (3) The report of a joint sitting of two or more Committees shall not be adopted unless supported
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by a resolution of a majority of the total membership of the Committees.

Ad hoc Committees

15. Ad hoc Committees are created to investigate specific matters as provided by the Constitution, Statutes (e.g. impeachment of a governor) or Resolution of County Assembly, for a specified period, after which their mandate or tenure expires upon submission of a report to the County Assembly.
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CHAPTER THREE

MANAGEMENT AND ADMINISTRATION OF SELECT COMMITTEES

Nomination of Members to Committees – Standing Orders 156

16. Unless otherwise provided by any written law or these Standing Orders, the Committee on Selection shall, in consultation with the County Assembly parties, nominate Members who shall serve on a select Committee.

The Committee on Selection shall give consideration to the need for gender balance and shall, in so far as may be practicable, ensure that no more than two-thirds of Members of a Committee of the County Assembly, including a Committee established through a resolution of the County Assembly, shall be of the same gender.

A vacancy occasioned by resignation or removal of a Member from a select Committee shall be filled within fourteen days of the vacancy.

A Member against whom an adverse recommendation has been made in a report of a select Committee that has been adopted by the County Assembly shall be ineligible for nomination as Member of that Committee.

Criteria for nomination – Standing Orders 157

17. In nominating Members to serve on a select Committee, the Committee on Selection shall ensure that the membership of each Committee reflects the relative majorities of the seats held by each of the County Assembly parties in the County Assembly.

A Member belonging to a party other than a County Assembly party or independent Member may be nominated to serve in a select Committee and the allocation of membership of select Committees shall be as nearly as practicable proportional to the number of Members belonging to such parties and independent Members.

Except as the County Assembly may otherwise resolve, on the recommendation of the Committee on Selection for reasons to be stated, no Member shall be appointed to serve in more than five Sectoral Committees.

Approval of nomination – Standing Orders 158

18. The Committee on Selection shall, within seven days upon nomination of Members to serve in any Committee of the County Assembly, present the list to the County Assembly for approval.

Whenever a Motion for approval of a list under paragraph (1) is moved in the County Assembly, no objection against the proposed membership of a Member in a select Committee shall be permitted and objections, if any, shall be formulated against the proposed membership as a whole.

A Member shall not be a Member of a Committee of the County Assembly, unless the nomination of such Member into the Committee is approved by the County Assembly.

Chairing of Select Committees – Standing Orders 161

19. A select Committee shall, upon appointment, elect its chairperson and vice chairperson among its members. One half of the Members of a select Committee shall constitute a quorum.

Conduct of Election of the Chairperson and Vice Chairperson – Standing Orders 162

20. The Clerk shall appoint a place, date and time for the first meeting of a Committee within seven days of its constitution by the County Assembly, or such further period as the Speaker may approve, and as soon as a majority of the Committee is present, the Clerk shall, by a secret ballot, conduct the election of the Chairperson and Vice-Chairperson of the Committee.

Notices for Sitzings – Standing Orders 164

21. Notice of a meeting of a select Committee shall be given by the Clerk to all Members of the Committee showing the date, time, venue and agenda of the meeting. Such notice shall be deemed to have been given upon circulation through the official email addresses of a Member, the County Assembly website, by delivery of the notice in the office of a Member or posting of the notice in the precincts of County Assembly (*See Appendix 2*).
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Sittings of Select Committees – Standing Orders 165

22. Sittings of select Committees shall be held at such place, date and time as shall be determined by the chairperson or on a petition made by at least five members of that Committee, but no meeting of a select Committee may be held outside the precincts of County Assembly without the approval of the Speaker (*See appendix 3*).

Quorum

23. The quorum of every Committee is as set in their respective Standing Orders and in cases not expressly provided for, a third of the total number of Committee Members shall form quorum.

Unless the quorum is achieved within thirty minutes of the appointed time, a meeting of a Committee of the County Assembly shall stand adjourned to such time on another day as the chairperson may appoint.

Frequency of meetings – Standing Orders 169

24. Every select Committee shall sit at least once in two months. Except for the House Business Committee, a select Committee shall not meet during a sitting of the County Assembly, without the written permission of the Speaker.

Failure to attend meetings – Standing Orders 170

25. If a member fails to attend four consecutive sittings of a Committee without the written permission of the chairperson of the Committee, or the permission of the Speaker, if the member is the chairperson, the Speaker or the chairperson, as the case may be, shall notify the Committee of the failure and
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the Committee having noted the matter and recorded it without reservation, the member shall remain suspended as a member of that Committee and the matter shall be reported to the County Assembly Business Committee. The County Assembly Business Committee shall subsequently consider the matter and propose a replacement for approval by the County Assembly.

Absence of Chairperson and Vice Chairperson – Standing Orders 171

26. In the absence of the Chairperson and Vice- Chairperson at any meeting, a Member designated by the Chairperson shall take the Chair, and in the absence of such designated Member, the Members present shall elect one of them to take the Chair.

List of attendance – Standing Orders 172

27. The names of members present at each sitting of a select Committee shall be entered in the minutes of that sitting (*See Appendix 4*).

Vote of No Confidence in the Chairperson – Standing Orders 176

28. A Committee may, by a resolution supported by a majority of its Members, resolve that it has no confidence in the Chairperson or Vice- Chairperson and a Member designated by the Committee for that purpose, shall thereupon report the resolution to the Liaison Committee which shall, as soon as it is practicable, direct the Clerk to conduct an election for the Chairperson or Vice-Chairperson, as the case may be, in accordance with Standing Order 162 (Conduct of election).
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The Members desiring to make a resolution under paragraph (1) shall serve the Chairperson or Vice- Chairperson with a written notice of the intended vote of no confidence and may, if they constitute a majority, request the Clerk to call for a meeting at the expiry of three days after the giving of such notice. The notice shall be deemed to have been given upon circulation of the notice in the offices of Members and posting on notice boards in the precincts of County Assembly.

Attendance by non-members of Committees – Standing Orders 178

29. A Member may attend and participate in a meeting of any Committee of the County Assembly of which he or she is not a Member, but such Member shall not be entitled to vote on any matter before the Committee.

Tenure and Disqualification of Membership

30. The tenure of membership of Committees of the County Assembly is for the life or tenure of that Committee, unless:-
- (a) A duly elected member resigns (in writing to the Speaker) from a sponsoring party, or if an independent candidate member, joins a party;
 - (b) His /her election is disqualified by a Court of law;
 - (c) S/he absents self from sittings of select Committees for more than four (4) sittings respectively without written authorization from the chairperson (see also section on discharge from select Committees (below)).
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Discharge of Members from Select Committees – Standing Orders 159

31. The County Assembly party that nominated a Member to a select Committee may give a notice, in writing, to the chairperson of the Speaker, that the Member is to be discharged from the Committee. The discharge of a Member shall take effect upon receipt of such notice by the Speaker.

Members adversely mentioned not to sit

32. Members who are adversely mentioned in a matter under deliberation by a Committee shall not be present at any sitting at which the Committee is deliberating on the matter.

Disqualification from chairing Select Committees

33. A Member against whom an adverse recommendation has been made in a report of a select Committee that has been adopted by a House of County Assembly shall be ineligible for election as chairperson, or a member of that particular Committee.

Voting

34. Although it is preferable to resolve all issues and questions in the Committee by consensus, however, when a vote is taken and the outcome is not unanimous, the names of the Members of County Assembly voting for, against and those abstaining from voting, respectively, shall be recorded in the minutes. The majority vote would constitute the decision or resolution of the Committee. The chairperson of a select Committee shall have an original but not a casting vote. The Chairperson of the House Business Committee shall have neither an original vote nor a casting vote.
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Powers and Privileges – Standing Orders 174

35. Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute, including the power to summon witnesses, receive evidence and to request for and receive Papers and documents from the Government and the public.

Engagement of Experts – Standing Orders 186

36. A Committee may, with the approval of the Speaker, engage such experts as it may consider necessary in furtherance of its mandate.

The Roles of the Chairperson, the Members and the Secretariat in a Committee

37. During sittings of Committees, the officers below carry out specific roles and functions as follows:-

The Chairperson

- Presides over the sitting
- Perform the functions and exercise the powers assigned to office of the Chairperson by the Committee, resolutions of the County Assembly or legislation; and
- Be the Spokesperson of the Committee.

Before Sitting

- i) Defines the purpose, objective;
 - ii) Sets the agenda in consultation with the Members and the Secretariat;
 - iii) Ensures the Secretariat facilitates the sitting;
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- iv) Receives a brief on the agenda and activities of the select Committee in general from the Clerk of the Committee;
- v) Develops a deliberation/execution plan.

During Sitting

Arrives for the sitting at least thirty (30) minutes ahead of scheduled commencement of the sitting to receive briefing from the Secretariat:-

- i) Calls the sitting to order after roll call, confirmation of quorum, makes opening remarks, introduces new Members (co-opted, in-attendance and observers, if any);
 - ii) Proposes the adoption of the agenda;
 - iii) Introduces agenda for the day and generally guides all activities, presides over the sitting, enforces rules of procedure, highlights points of convergence or divergence and summarizes deliberations; guides the sitting to arrive at conclusions on the issues in the agenda;
 - iv) Allocates time to every agenda item and attempts to impress upon members to stick to set timelines;
 - v) Ensures decisions are taken within the letter and the spirit of statutes and rules of procedure;
 - vi) Ensures that democracy prevails and that equity in participation of Members is respected and achieved;
 - vii) Recognizes the value of Members' contributions at all times;
 - viii) Exhibits familiarity with the protocol of meetings e.g. insists that only one person at a time may speak in the sitting; all speeches to be addressed to the Chair,
 - ix) Introduces all agenda;
-

- x) Keeps Members' contributions within reasonable time allotted per agenda;
- xi) Ensures that decisions are properly drafted and implementable;
- xii) Decisions should specify way forward – purpose, resources, time frame, terms of reference, supervision and follow-up mechanisms;
- xiii) Captures the main points in the discussions, summarizes them, drives to a conclusion and suggests the way forward;
- xiv) Must sign minutes when approved;
- xv) Ensures appropriate dress code;
- xvi) Watches Members' body language to see who is for or against the issues at hand;
- xvii) Controls disorderly Members;
- xviii) Presides over voting and announces the results;
- xix) Maintains decorum in the Committee room during Committee sittings.

After Sitting

- i) ensures action items are implemented;
 - ii) facilitates and assists members encountering challenges in undertaking assigned tasks;
 - iii) ensures that the typed minutes are a true record of previous proceedings; the minutes are confirmed at every subsequent sitting;
 - iv) ensures that the Clerk circulates draft minutes and relevant documents to Members before the next sitting to engender informed deliberation;
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- v) leads in the evaluation of the previous sittings (findings, recommendations and status of implementation.

The Committee Members

Before Sitting

- i) Familiarize themselves with the agenda items and prepare adequately to participate in the deliberations;
- ii) Acquaint themselves with the necessary logistics;
- iii) Seek clarity on issues with the chairperson or the Secretariat;
- iv) Propose to the chairperson important matters that could set the agenda of the Committee.

During Sitting

- i) Attend sittings with open mind; respect the views of others;
- ii) Be a good listener;
- iii) Be receptive to new/other approach (es);
- iv) Provide leadership and knowledge in his/her areas of expertise/experience;
- v) Present views precisely, clearly and confidently;
- vi) Not allow personal preferences to obscure opposing views;
- vii) Help the chairperson maintain order; note main points of sitting for future reference;
- viii) Actively participate in the proceedings;
- ix) Support the sitting to reach consensus for purposes of collective decision-making;
- x) Take part in voting (if any);
- xi) Volunteer to work in sub-Committees or individual assignments;
- xii) Appreciate role of the Secretariat in facilitating effective operations and management of business before the Committee.

After Sitting

- i) Carry out tasks assigned during the meetings, (if any);
 - ii) Evaluate the outcome of the meeting;
-

- iii) Consult officials or other Committee members to get clarify on tasks;
- iv) Contribute to Any Other Business.

The Clerk-in-Charge of a Committee

A Clerk - in - Charge of a Committee is the representative of the Clerk of the House and is the Committee accounting officer and head of Committee secretariat. He/ She is responsible for:-

- i) the use and management of the Committee resources;
- ii) the administration of the day-to-day operations of the Committee, including management of logistics;
- iii) responsible for ensuring compliance to the timelines on the implementation of House Resolutions;
- iv) quality assurance on all documents prepared by the Committee, including reports and legislative proposals;
- v) Custody of Committee records;
- vi) Responsible for agenda-setting, drafting of work plans and Committee budgets and policy analysis for the Committee;
- vii) Coordination of public hearings on various aspects of Committee work, including petitions, bills and inquiries;
- viii) Procedural advisor to the Committee.

Before Sitting

- i) Prepares invitations and coordinates attendance of witnesses;
 - ii) Works closely with the chairperson on logistical issues— notice, agenda, venue, preparation of briefs for the
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- chairperson; preparation of relevant documentary kits and facilitation tools and services;
- iii) Secures sitting space for invited persons and members of the public through the Serjeant-at-Arms;
- iv) Ensures that all hospitality matters have been addressed before the meeting.

During Sitting

- i) Records the proceedings as fully and accurately as possible including the following:-
 - a) Time and date of the sitting;
 - b) Venue/place of the sitting;
 - c) The key stakeholders attending (Members, staff, public, experts, civil servants);
 - d) Agenda items dealt with and decisions made;
 - e) Names of people responsible for action;
 - f) Time sitting started and adjourned;
 - g) Date, time and place of next sitting.
 - ii) Guides the chairperson on enforcement of Standing Orders, Speaker's Rules, procedures, precedents, traditions and County Assembly customs and practices;
 - iii) In recording attendance, the criteria for doing so should be apparent, either alphabetically or in seniority (esp. in the public service) or age, time of arrival, duration of employment, et cetera;
 - iv) Provides logistical support – make available appropriate facilities and services;
 - v) Indicates who is responsible for what action, time frames and resources;
 - vi) Thinks through the objectives of the sitting;
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- vii) Keeps Members informed about the likely sequence of work to accomplish the agenda;
- viii) Prepares and arranges the agenda in its appropriate sequence; although the chairperson and the members have the final decisions;
- ix) Consults closely with the chairperson in the course of the sitting.

After Sitting

- i) Ensures draft minutes/ correspondence are immediately compiled;
- ii) If formal resolutions were made, the exact words of each resolution should be entered and action on the same implemented;
- iii) Makes queries on unclear facts;
- iv) Facilitates referencing of agenda items;
- v) Shows the chairperson the draft minutes;
- vi) Ensures members receive minutes and relevant documents promptly;
- vii) Stores/files minutes after approval in next sitting;
- viii) Writes minutes from notes taken during the sitting;
- ix) Prepares action items for the chairperson and members for easy reference;
- x) Ensures the chairperson authenticates the minutes before circulation;
- xi) Keeps minutes under safe custody (skill of care depends on the type of sitting and minutes).

Other Technical Staff in Committees

- 38.** Legislatures have come to appreciate the need to have a composite team of professionals to advise and provide technical assistance to Committees in the discharge of their respective mandates. Among the relevant technical staff may
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include: legislative procedural experts; Legal counsel, policy/research officers; Budget/fiscal analysts; Serjeant-at-Arms and security officers; Hansard /audio/recorders and public/Media relations experts (*See Appendix 5*).

Invitation and Summoning of Witnesses

39. It is a long practice of democratic systems for public servants and ordinary citizens to participate in proceedings of legislatures through select Committees. Elicitation of that participation is either as an Invitation or Summonses. The former is by practice, while the latter is by Statute.

Article 185 of the Constitution states that –

- (1) A county assembly or any of its committees has power to summon any person to appear before it for the purpose of giving evidence or providing information.
- (2) For the purposes of clause (1), an assembly has the same powers as the High Court to—
 - (a) enforce the attendance of witnesses and examining them on oath, affirmation or otherwise;
 - (b) compel the production of documents;
 - (c) issue a commission or request to examine witnesses abroad.

Further, in accordance with the *County Assemblies Powers and Privileges Act 2017*, Committees enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute, including the power to summon witnesses, receive evidence and to request for and receive papers and documents from the Government and the public.

To summon witnesses, the Clerk of the Committee facilitates the process as follows:-

- i) In consultation with the chairperson, the Clerk includes the issue of invitation or summoning witnesses in the agenda for discussion, and decision-taking at the next sitting;
- ii) Once the Committee has resolved who to invite or summon, the Clerk writes to the witnesses agreed upon by the Committee under the hand of the Clerk of the County Assembly. The letter should indicate the reason for the invitation/ summon, the date of the meeting, the venue and time (See *Appendix 9: A sample template for summons to witnesses*).

Managing Visiting Delegations to Committees

40. Upon receipt of communication through the office of the Clerk of the County Assembly on a delegation requesting to visit the Committee, the Clerk of the Committee should get in touch with the contact person of the visiting delegation and assemble the following information:-

- i) the size of delegation, their names and official designation;
 - ii) name and brief biography of the leader of the delegation;
 - iii) objectives of the visit, expected output and a copy of the concept note on the visit;
 - iv) duration of the visit;
 - v) consult if any of the delegates has disability;
 - vi) consult if any of the delegates has any dietary needs; and
 - vii) consult on whether the delegates will be offering any gifts.
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Based on the information given, the Committee Clerk should:-

- i) Develop a programme for the visit in consultation with the chairperson; organize a sitting of the Committee to brief Members on the visit; further review and agree on the dates of the visit;
 - ii) Liaise with the offices of the Speaker and the Clerk to relay the above information, including sharing the programme and inquire if the two would be available to meet the visiting delegation;
 - iii) Liaise with the Director, Legislative and Procedure and Committee Services to facilitate the generation of a communiqué to the House about the delegation;
 - iv) Liaise with the office of the Serjeant-at-Arms to secure entry passes to the precincts for the visitors;
 - v) Liaise with the office of the Communications and Public Relations Officer to make arrangements for the delegation to be taken on a guided tour of the precincts of County Assembly;
 - vi) Liaise with the Catering Manager(Administration Officer) to facilitate lunch (to be done on a need basis);
 - vii) Procure gifts (to be done on a need basis);
 - viii) Secure a venue for the meeting;
 - ix) Liaise with the Sergeant at arm to make arrangements for the delegation to sit in the County Assembly gallery (to be done on a need basis);
 - x) Write to the delegation informing its Members of the logistical arrangements and share the programme; and
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- xi) The above should be on the agenda of the sitting of the Committee, a few days to the visit.

Organizing Events: Workshops and Conferences for Committees

41. The Committee must collectively resolve on the intention to hold a workshop and dates when they would like it to be held. This should be documented in the minutes of the day.
 42. Notably, as the holding of workshop could result in the Committee sitting away from the precincts of County Assembly, provisions of Standing Orders should be taken into account. The Standing Orders 165 states that, *“A sitting of a Committee shall be held at such a place, date and time as shall be determined by the chairperson or on a petition made by at least five members of that Committee but no meeting of a Committee may be held outside the precincts of County Assembly without the approval of the Speaker”* (Appendix 3).
 43. The role of the Committee Clerk is to facilitate the Committee as follows:-
 - i) Write a memo to the Clerk seeking his consideration and approval for the workshop or conference. In the memo, the officer should include the proposed dates, list of participants, budget, programmes, concept note, invitation letters to relevant parties including resource persons and the duly signed authorization of the Speaker to sit out of the precincts of County Assembly.
 - ii) Follow up on confirmations, transport, appropriate tickets, imprest, *et cetera*. with the relevant parties.
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- iii) Prepare the report of the workshop for adoption by the Committee at one of the sittings and its subsequent tabling in the House.

Conducting Public Hearings

44. The Constitution has set precedence on the need and importance of engaging the public in decision-making processes for governance. In particular, Article 196 which states-

- (1) *A County Assembly shall—*
 - (a) *conduct its business in an open manner, and its sittings and those of its Committees shall be open to the public; and*
 - (b) *facilitate public participation and involvement in the legislative and other business of Parliament and its Committees.*
- (2) *A County Assembly may not exclude the public, or any media from any sitting unless in exceptional circumstances the Speaker has determined that there are justifiable reasons for doing so.*

45. Once a bill has been read a first time pursuant to Standing Orders 122, it is committed to the relevant sectoral Committee to facilitate public participation. The role of the Committee Clerk is to:

- i) Write to the sponsor of the bill, inviting him or her to apprise the Committee on the background of the bill. Further, request the research officer attached to the Committee to prepare an analysis of the policy, objectives and purpose of the bill; the legal counsel attached to the Committee to prepare a brief on the bill;
 - ii) Include the bill as an agenda to be discussed at an appropriate time by the Committee;
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- iii) During that sitting, the Committee will be taken through the bill to understand its content as well as raise any issues for clarification before engaging the public. In addition, the Committee will agree on the mode of public participation (*Refer to Chapter Five*).
 - iv) Once the Committee has determined how to engage the public, its Clerk invites the various parties depending on the adopted mode (Refer to the chapter on public participation);
 - v) The Clerk secures the venue of the sitting and makes the logistical plans necessary (the public address system, refreshments for the participants, copies of the bill, equipment to project presentations, *et cetera*);
 - vi) The Clerk facilitates preparation of the Committee briefs, drafts welcoming and opening remarks for the chairperson and also prepares a programme for the public hearing;
 - vii) During the public hearing, the Secretariat works as a team, whereby the Committee Clerks take down the minutes of the proceedings. The Legal Counsel takes notes and analyzes any proposals for amendment and the Researchers support in providing background information and any other necessary information. This information is then compiled into a draft report;
 - viii) Once the draft report is ready, the Committee sits to critically review and adopt it;
 - ix) Once a report has been adopted by the Committee, it is thoroughly proof read by the Clerk, signed by the chairperson and sent to the Speaker through the Clerk of the County Assembly for approval, then it is referred to the House Business Committee for scheduling for tabling and debate by the County Assembly;
 - x) Once the report has been tabled and scheduled for debate, the Clerk prepares sufficient copies of the report and deposits them in the Table Office for
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circulation to Members of County Assembly and the media;

- xi) A soft copy is also shared with the ICT office to be uploaded on the website of County Assembly.

Organizing Foreign Trips

46. The Committee at a sitting, and pursuant to its work plan, collectively resolves on the intent to undertake a foreign trip. All the necessary information about the planned trip, including destination, dates, the delegation, *et cetera*, are documented in the minutes of the day.
 47. The undertaking of a foreign trip by a County Assembly Committee would have to comply with the provisions of Standing Orders, on the authorization by the Speaker for Committee sittings outside the precincts of County Assembly. The Committee must also have, hitherto, submitted its annual programme of work to the Liaison Committee for approval and budgetary allocation- (*See Appendices 3 and 11*).
 48. The Committee Clerk is to facilitate the Committee as follows:-
 - i) Write a memo to the Clerk of the County Assembly seeking his consideration and approval for the foreign trip. In the memo, the clerk includes the proposed dates, list of delegation, budget, programme, concept note, curriculum vitae of the delegation and the duly signed authorization by the Speaker to sit outside the precincts of County Assembly.
 - ii) Write a letter to the Principal Secretary, Ministry of Foreign Affairs and International Trade, informing him/her of the intended visit and requesting the Ministry to contact the Kenyan embassy in the
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- intended country of visit to make the necessary arrangements.
- iii) Follow up with the Kenyan embassy in the country to be visited on the arrangements with regard to the programme, ground transport, hotel accommodation, *et cetera*.
 - iv) The Clerk liaises with the:
 - (a) Department of Human Resources in County Assembly to prepare health insurance/ travel insurance for Members;
 - (b) Procurement Office on the air tickets;
 - (c) Finance Office on the imprest or travel allowance (*per Diem*) for the delegation and
 - v) The Clerk prepares a brief for Members on the travel;
 - vi) The Clerk facilitates the Committee to attend a pre-departure mission meeting to discuss the objective of the visit in detail, the programme and other logistical matters, and invites officials of the Ministry of Foreign Affairs to give a pre-departure briefing.
49. In the course of preparation and during the visit, the Committee Clerk, acting as the secretary to the delegation, manages the Members' diaries and advises them on meetings to be attended. Further, she/he generates a report for the visit that is discussed and adopted once the Committee returns from the visit. Thereafter, the report is tabled in the House.

Organizing Visits to other County Assemblies and Institutions

50. The select Committee must resolve that it intends to undertake a County Assembly/Institution visit and agree on
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the dates of the visit. This is documented in the minutes of the sitting at which the planned visit is discussed and resolved.

51. The undertaking of such visit by select Committees is guided by provisions pertaining to sitting outside the precincts of County Assembly, in the County Assembly Standing Orders (*Appendix 3*). The role of the Committee Clerk in this context would be to:
- i) facilitate and secure authority from the Speaker to sit outside the precincts of County Assembly, in liaison with the Committee chairperson;
 - ii) write a memo to the Clerk seeking his consideration and approval for the county visit. The memo should include; the proposed dates, list of participants, budget, programme, logistics and a signed authorization by the Speaker to sit outside the precincts of County Assembly.
 - iii) draft letters to the Clerk of the county assembly, informing them of the county visit, objectives and particulars of intended activities;
 - iv) draft letters to inform the institutions the Committee plans to visit;

During the visit, the Committee Clerk manages the Members' diaries and advises on schedule of meetings to be attended, *et cetera*. Upon return, the Clerk generates a report of the visit that is discussed and adopted. Thereafter, the report is tabled in the House

Processing Statements by Committee

52. County Assembly Standing Orders 41 states “*that a Member may request for a Statement from a chairperson of a Committee relating to matters under the mandate of the Committee and the Speaker may appoint a day for the Statement to be made or direct that, the Statement be issued*
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on the same day. Similarly, the County Assembly Majority Leader, the County Assembly Minority Leader, or a Committee chairperson, as the case may be, or their designees, may make a statement relating to their responsibilities in the County Assembly or the activities of a Committee.”

The role of the Committee Clerk is as follows;

- i) obtain a copy of the Statement request;
- ii) obtain a copy of the Hansard of the sitting at which the Statement request was issued;
- iii) draft a letter to the department/institutions responsible seeking a response to the Statement. The letter under the hand of the Clerk of the County Assembly should indicate the date on which the response is required;
- iv) Once a response to the letter is received, the Clerk notifies the Committee;
- v) makes a copy of the response and delivers it to the Member who sought the Statement;
- vi) give a copy of the response to the chairperson to issue during plenary;
- vii) Should the responsible persons take longer time than the period allotted, the Clerk notifies the chairperson and members of the Committee, for direction.

Processing Petitions by Committees

- 53.** Pursuant to Standing Orders 209, “*A petition means a written prayer to the County Assembly by a member of the public requesting the County Assembly to consider any matter within its authority as contemplated in Article 185 of the*
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Constitution and Section 8 of the County Governments Act, including enacting, amending or repealing any legislation”.

Every Petition presented or reported at the County Assembly shall stand committed by the Speaker to the relevant standing Committee. The Committee shall, in not more than sixty (60) calendar days from the time of the reading of the prayer, respond to the petitioner by way of a report addressed to the petitioner and laid on the Table of the County Assembly.

The role of the Committee Clerk is as follows:

- i) Informs the chairperson and members about the Petition and have the Committee set a date for its consideration;
 - ii) Invites the stakeholders likely to be interested in the Petition and advise them of the date the Committee would be considering the Petition;
 - iii) prepares welcoming and introductory remarks for the chairperson as well as a programme for the sitting;
 - iv) once the draft report is ready, the Committee convenes to review it and adopt it;
 - v) once the report has been adopted by the Committee, it is thoroughly proof read by the Clerk, signed by the chairperson and sent to the Speaker through the Clerk of the County Assembly for approval and then tabled before the County Assembly;
 - vi) The Clerk shall within fifteen (15) days of tabling of the report on a petition, forward a copy of the report to the petitioner.
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Processing Bills by Committees

54. **Pre-publication scrutiny:** During the pre-publication scrutiny stage, the Committee scrutinizes a bill within fourteen (14) days upon referral by the Speaker, so as to determine whether it is in line with the Constitution and/or whether it contravenes other laws or national policy. The Committee examines the proposal and seeks the views of the sponsor and the relevant CECM on the likely impact, effect, outcome and consequence of the legislative proposal and any other aspect the Member or the Committee may deem necessary. The Committee may in consultation with the sponsor of the legislative proposal, suggest variations with a view to improving the legislative proposal, but the sponsor is not bound to incorporate such variations. After expiry of the fourteen (14) days, the Speaker may direct the publication of the bill, with or without the pre-publication scrutiny report of the Committee.

First Reading - Once a bill is read a first time, it is committed to the relevant standing Committee which, among others, is expected to conduct public hearings and then prepare a report to the County Assembly within twenty (20) calendar days.

Conducting Committee Inquiries

55. Ordinarily, Committees execute the bulk of their work in the Committee rooms within the precincts of County Assembly. Occasions do arise, when it is necessary to augment the evidence gathered within the precincts with site visits. The site visits, apart from providing first-hand evidence, do provide the opportunity for the extended public participation in the inquiry underway.
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To conduct an effective inquiry, the following are the necessary prerequisites:-

- i) an in-depth scrutiny of the matter under inquiry, its objectives, expectations and the efficacy of the evidence so far received;
- ii) the gaps in the evidence received in terms of enabling the select Committee respond to the objectives and so deliver a report and recommendations able to provide solutions;
- iii) identify the additional or new sources of evidence that would add value to the inquiry;
- iv) the Committee should be convinced beyond doubt that, indeed, such extended inquiry is necessary.

When the Committee has made a resolution to conduct an inquiry, the Secretariat should proceed to put in place the administrative/ logistical framework to implement the same. At the end of the inquiry, both sets of evidence gathered should inform the production of a report with clear recommendations. The secretariat must always ensure that the proceedings at every stage (venue, list of participants/ addresses of witnesses, oral and documentary evidence) must be minuted and recorded verbatim.

In conducting inquiries, the Secretariat should ensure that key reference documents (the Constitution, County Governments Act, the *County Assemblies Powers and Privileges Act 2017*, the Standing Orders, working manuals and papers, texts of the oath/ affirmation of allegiance, *et cetera*) are available. Additionally, security should be assured, and relevant experts sourced.

Processing Statutory Instruments

56. Statutory Instruments, also known as Subsidiary Legislation, would be dealt with by the Statutory Instruments Act 2013 and the County Assembly pursuant to provisions of Standing Orders, which states thus:-

“Whenever a statutory instrument is submitted to the County Assembly pursuant to the Constitution, any law or these Standing Orders, the statutory instrument shall, unless a contrary intention appears in the relevant legislation, be laid before the County Assembly by the Chair of the relevant Sectoral Committee, or any other Member and shall thereafter stand referred to the Committee on Delegated County Legislation”.

Further, Standing Orders define Statutory Instruments thus:-

“In this Standing Order, “statutory instrument” means any rule, order, regulation, direction, form, tariff of costs or fees, letter patent, commission, warrant, proclamation, by-law, resolution, guideline or other instrument issued, made or established in the execution of a power conferred by or under an Act of the County Assembly under which that statutory instrument or subsidiary legislation is expressly authorized to be issued.”

Statutory Instruments are procedurally expected to be processed through both the County Assembly Committee on Delegated Legislation and the plenary.

In processing a Statutory Instrument, the Committee on Delegated Legislation is:

- i) guided by and adheres to provisions of Article 94 (6) of the Constitution and Standing Orders;
 - ii) be guided by the general procedure and practice through which select Committees execute their mandate;
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- iii) invite/summon the relevant state department or the authority that published the statutory instrument;
- iv) invite/summon any specified members of the public (including experts);
- v) invite the public in general;
- vi) if necessary undertake site visits/ public hearings;
- vii) hire experts relevant to the subject of the Statutory Instrument.

Committees Processing Reports from the Executive Arm of the Government

57. Processing reports from the Executive Arm of the Government would be done pursuant to existing legal framework (i.e. the Constitution, statutes, the coded procedure and practices of the County Assembly). For a start, it must be provided for, how the reports reach County Assembly and the purpose for their submission. What is County Assembly expected to do with them?

According to existing legal framework:–

- i) Reports from the Executive Arm of the Government, are laid before County Assembly and are referred to relevant sectoral Committees;
 - ii) Sectoral Committees process them initially, then finally, send their reports with recommendations that are laid before the County Assembly. Upon deliberation, the County Assembly makes the final decision.
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CHAPTER FOUR

COMMUNICATION, DRAFTING REPORTS AND MINUTES OF COMMITTEES

Elements of Effective Communication

58. Communication is the process by which information is shared while abiding with the following principles:-

i) **Completeness**

The intent of the communication should be clear to the reader.

ii) **Courtesy**

Communication should use civil language and observe decorum.

iii) **Consistency**

Written communication abides by known rules of consistency including; reference to salutations, official honours' labeling or naming, numbering, spacing, font size and type, referencing, *et cetera*, to make the life of your reader less stressful.

iv) **Clarity**

Effective communication entails being clear in what we want to communicate and striving to do the same to our readers. It is more challenging in written communication since the writer and the reader do not interact directly and are not in a face-face contact. The reader negotiates with text, which in essence is symbolic. Avoid ambiguity in statements put on paper.

- v) **Compelling**
Communication should strive to build a compelling case around your subject in your message through hard facts. The minute writer should enable one to access the ear and the heart of the reader.

- vi) **Correct grammar**
All Written communication should observe proper use of grammar (tenses, possessives, cases), *et cetera*. Apply the conventions as laid out.

- vii) **Construction of sentences**
Construct sentences that are short and simple. Avoid long-winded sentences and paragraphs.

- viii) **Correct Structure**
Appropriate structuring requires paying serious attention to the organization of the constituent parts of any written text-whether of reports, minutes, cabinet memos, board papers, proposals, *et cetera*. Structure is what differentiates genres/types of written communication (*See Appendix 5*).

Approaches to writing Reports

59. There is no set format for report writing. However, out of practice, a Legislature would adopt certain format. Be that as it may, the following general layout should be included when writing a Report (*See Appendix 10*).

Tips for writing good Reports

- i) Remember that the information needs to be organized logically, with the most important information coming first;
 - ii) Keep it simple; do not try to impress; rather, try to communicate;
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- iii) Keep the sentences short and to the point;
- iv) Do not go into a lot of details unless it is needed;
- v) Make sure every word that needs to be included is included and that it contributes to the purpose of the report;
- vi) Use an active rather than passive voice;
- vii) Active voice makes the writing move smoothly and easily; uses fewer words than the passive voice and gives impact to the writing by emphasizing the person or thing responsible for an action;
- viii) Good grammar and punctuation is important;
- ix) Have someone proof-read your draft;
- x) Remember that the computer cannot catch or highlight all the mistakes, especially with words that sound alike but have different meanings (homonyms) e.g. “red, read” or “there”, “their” or words that have the same spelling but have different sound and meaning (homographs), e.g. “lead” (to go in front of) or “lead” (a metal), *et cetera*;
- xi) Keep to the point; do not drift off to talk about interesting side shows;
- xii) Discuss each title on a separate page; and
- xiii) Number each paragraph and the subsequent sub-headings.
- xiv) Should have a good recommendation with clear timelines and responsibility in terms of the officers/officers who are expected to implement.

Key Parts of a Report

60. The key parts of a report include:-

Cover letter/Memo or Letter/of Transmittal

Comes before the title page and, officially introduces the report to readers.

Part 1: Title Page

Identifies the report and also indicates the content and includes: title of the report, writer or author and his/her position/designation, name and address of the organization/ ministry/department it has been prepared for, and date of completion.

Part 2: Table of Contents

Gives an outline of what is in the report. It is assembled from the headings and subheadings of the major and minor sections of the report. It includes the appropriate identification numbers or letters and page numbers.

Part 3: Glossary

Arranged in an alphabetical order, this gives definitions or additional explanations of terms or words used in a report.

Part 4: Summary or Synopsis

Two types of summaries: An **Abstract** and an **Executive Summary**. This is an overview or summary of the main ideas or points of the entire report which gives the reader a quick general idea or the content of the report. The Abstract gives focus of the mandate of the select Committee, a synthesis of the task to be undertaken; while the Executive Summary concisely highlights the output of findings, including divergences and convergences. The final draft should be an indication that the report has been: Well-revised, edited, and proof-read (*See Appendix 8*).

Part 5: Introduction/ background to the Problem

It explains the purpose or reason (problems or issues) for which the study or inquiry was undertaken, introduces the major topics discussed in the report and could include the scope and limitations of the report as well as any assumptions on which the report is based.

Part 6: Scope and Limitation

This could be part of the introduction or a separate section and gives the reasons why the report was written. It includes the following:-

- i) Aim (intention or purpose) of the report - uses infinitive verbs like “to assess”, “to examine”, “to investigate”, “to inquire into”, *et cetera*;
- ii) Objectives (goals or aims) of the report - to evaluate whether whatever the Committee set out to achieve has been attained, *et cetera*;
- iii) Limitations of the area covered by the report (that is, relevant topics that are not addressed because of certain constraints);
- iv) Intended outcome of the inquiry, site visit, investigation, assessment, *et cetera*.

Part 7: Method(s) or Way(s) of Execution

Describes the exact steps taken or methods used to research, gather or obtain data or information for use in executing the mandate of the Committee.

Part 8: Results, Findings or Evidence

Forms the nature of the research in that it presents the findings or discoveries of the research or information gathered.

Part 9: Conclusion

Makes logical conclusions based on the findings of the research or study.

Part 9: Recommendation

Based on the findings, conclusions and supported by the evidence, states the actions or suggestions that should be taken to rectify, improve, remedy or change the current problem or situation that necessitated the activity in the first place.

Part 10: Certification Form for adoption of report

Members append their signatures on this form. The Committee is required to hold a sitting, specifically for adoption of a report.

Part 12: List of References/ Bibliography

A list of sources of information or references referred to or cited in the report is placed at the end of the report, is arranged in an alphabetical order of authors' surnames.

Part 13: Appendix (Appendices)

Supplementary material or additional information that supports the body of the report.

Writing of Minutes

61. The minutes of a Committee is the vehicle/means by which members of the Committee and stakeholders are able to keep track of the issues/matters dealt with at previous sittings. The minute is the abridged content of the debate, the considerations, assumptions and the decisions made on the issue. Minutes constitute the record which is an essential document of the proceedings at a sitting; a useful tool in managing operations of an organ.

Types of Minutes

62. Variation in minutes is determined by the purpose, whose captured details they are meant to serve, including the following:-
- i) **Verbatim Minutes** – The word-for-word record of proceedings, for example, court proceedings, County Assembly proceedings or Commissions of Inquiry. This approach is used due to the legal and political implications of such organs, which require complete, accurate and full records for future reference.
-

- ii) **Minutes for Resolution** - Used for the minutes of Annual General Meetings (AGMs) and statutory meetings of certain organizations. Only records the main conclusions and the resolutions reached in the meeting; is recorded for ease of reference.
- iii) **Minutes of Narration (Long Hand)** - A concise summary of the whole discussion/debate that took place, reports received, decisions made, and actions to be taken. Also known as Narrative-Action minutes.
- iv) **Action Minutes (Action Items)** - Prepared by the secretary as an *aide memoir* to the chairperson and even Members as to the actions for implementation. This makes referencing easy as it indicates who is responsible for what action, timeframes and resources, and can be prepared as a template/ table appended to the minutes.

Elements of Good Minutes

63. It is hardly possible to enumerate the perceived good elements in minutes. Nevertheless, the following are considered a worthy guidance:-

- i) Brief, but sufficiently detailed for clarity;
 - ii) Accurate, leaving no doubt as to the meaning or intent of every word or phrase; iii) Largely uses past tense and reported speech;
 - iii) Impersonal, as decisions belong to the group;
 - iv) Complete so as to remove any gaps in information being shared;
 - v) Factual, simple statement of fact, not elaboration of personal opinions;
 - vi) Care must be taken in the use of language – seek written effective communication. Paying attention to: grammar, capitalization, punctuation, paragraphing, sentence constructions, vocabulary, *et cetera*.
-

Key points to note about Minutes

64. It is not possible to summarize all key points about minutes, thus the following are a guide:-
- i) Minutes become final/authentic only when they have been read at the next sitting, approved by the Members present, and signed by the chairperson;
 - ii) Often, minutes are circulated to Members beforehand and at the next meeting, the chairperson confirms them after ascertaining that Members have no amendments to suggest;
 - iii) If a member suggests an amendment, the chairperson seeks the opinion and approval of the other Members present at the sitting before signing them;
 - iv) Any editing done by the sitting before confirmation, should be initialed by the chairperson;
 - v) For major errors, retyping should be done;
 - vi) Once minutes are signed by the chairperson, corrections cannot be made unless through a subsequent minute in another sitting or as the fully constituted sitting would decide by a consensus, or vote on a resolution seeking the change;
 - vii) The Clerk then keeps custody of the minutes signed by the chairperson;
 - viii) Good minutes are the result of regular consultation between the chairperson and the Secretary e.g. the Secretary should be able to seek clarification from the Chair where certain details escape his/her memory (*See Appendix 9*).
-

CHAPTER FIVE

PUBLIC PARTICIPATION IN COMMITTEES

65. Public participation has been defined as the involvement of individuals and groups that are positively or negatively affected by a proposed intervention, subject to a decision-making process or are interested in it.

Rationale and Legal Basis for Public Participation

66. Public participation is at the heart of democratic governance. It improves information flow, accountability and due process, and gives a voice to those most directly affected by public policy. Involvement of stakeholders ensures that priorities of the citizens are more correctly identified, analyzed and decisions stand a greater chances of support and success when people concerned are meaningfully engaged. Participatory decision-making also enables continuous oversight of resource allocation and utilization.

Participatory decision-making helps build social capital in decision-making. With this, there will be high trust and confidence levels making it easier for public officials to have the legitimacy to undertake their tasks and for governance to proceed smoothly, peacefully and effectively.

The legal basis for public participation in County Assembly business is found in the Constitution, the County Governments Act Kisumu County Public Participation Act, 2015 and the Standing Orders. Article 196(1) of the Constitution on public access and participation provides that:

- (1) *A County Assembly shall—*
- (a) *conduct its business in an open manner, and hold its sittings and those of its Committees shall be open to the public; and*
-

- (b) *facilitate public participation and involvement in the legislative and other business of Assembly and its Committees;*
- (2) *County Assembly may not exclude the public, or any media, from any sitting unless in exceptional circumstances the Speaker has determined that there are justifiable reasons for doing so.*

Committal of Bills to Committees and Public Participation

67. Standing Orders state that:

- i) A bill having been read a First Time shall stand committed to the relevant sectoral Committee without question put;
 - ii) Notwithstanding paragraph (1), the County Assembly may resolve to commit a bill to a select Committee established for that purpose;
 - iii) A Member intending to move a motion under paragraph (2) shall give the Speaker a written notice of the Motion, at least two hours before the sitting of the County Assembly on the day the bill is scheduled for First Reading;
 - iv) A Sectoral Committee to which a bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee makes its report to the County Assembly;
 - v) The Speaker may direct that a particular bill be committed to such Committee as the Speaker may determine;
 - vi) For the convenience of the County Assembly, the County Assembly may, by resolution, discharge a bill from a sectoral Committee.
-

Procedure in Public Participation - Notification and call for Submissions

Notification and call for submissions to the general public is done by way of advertisement in the County Assembly website and at least two newspapers with national circulation. Notification to specific stakeholders who are likely to be affected by the legislative business before the Committee is done directly through correspondences under the hand of the Clerk of the County Assembly.

The notice used shall specify the:

- i) Business and where copies of it can be obtained;
- ii) Committee to which the business has been referred;
- iii) Manner of submissions (oral or written); and
- iv) Time within which submissions shall be made. It should be noted that the period for submission should be reasonable/adequate and enough to enable the public to peruse or interrogate documents relating to the business so as to submit their comments;
- v) Venue for public participation which should be easily accessible.

Public Participation- Hearings

Each Committee shall determine the manner in which it will proceed with the public participation, taking note to observe the provisions of the Standing Orders as to conduct of sittings and further ensure that adequate opportunity is granted to each and every participant.

Analysis of Submissions

The Committee shall, as soon as is practicable, after receiving submissions analyze such submissions. The Committee may invoke relevant County Assembly Standing Orders for engagement of experts to assist in the analysis.

Report

The Committee, while adhering to any set timelines, shall make its recommendations to the County Assembly by way of a report. The report shall include:-

- i) Proof of call for public participation;
- ii) Attendance schedules;
- iii) Submissions from the public;
- iv) Committee observations/analysis;
- v) Recommendations;
- vi) Minutes of the sittings of Committee.

The public participation report shall inform the overall Committee report on the matter presented to the public by way of public participation. The public participation report shall be annexed to the Committee report presented before the House.

Feedback to the public shall be deemed to be by way of a report tabled before the County Assembly.



CHAPTER SIX

PLANS AND BUDGETS FOR COMMITTEES

Budgeting and Tracking Committee Expenditure

68. County Assemblies all over the country have limited resources and must, therefore, adequately plan and budget for their activities, including Committees. Committees are allocated a particular amount for which they must plan and budget, to ensure that the funds are well spent.
69. Committees prepare draft work plans of the activities to be carried out during the year. When drafting the work plans, the Committees cost each activity including local and foreign travels, workshops, consideration of bills, public hearings, estimated number of Committee sittings, sitting allowances and hospitality. The Committees meet and adopt the work plans and their proposed budgets. This is then presented to the Liaison Committee for approval. A consolidated budget for the County Assembly is then forwarded to the County Assembly's Committee on Budget and Appropriations.
70. The Budget Committee reviews all budgets, approves and appropriates funds to the County Assembly.

It is the role of the Clerk to the Committee to track the expenditure of the Committee, ensuring that the Committee remains within budget and carries out activities laid out in the Committee work plan. However, the work of County Assembly and, by extension, Committees is very dynamic; therefore activities may arise that are outside Committees' work plans. In such cases, Committees require the approval

of the Liaison Committee/Speaker for any expenses that may exceed the amount they were initially allocated.

- 71.** Joint Committees of the County Assembly are funded by both Committees' allocations.
-

APPENDICES

Appendix 1: SCHEDULE OF COUNTY ASSEMBLY SECTORAL COMMITTEES

COMMITTEE	SUBJECT MATTER ASSIGNED
Committee on Agriculture, Livestock and Fisheries	All matters relating to agriculture, including crop and animal husbandry, livestock sale yards, County abattoirs, plant and animal disease control, veterinary services (excluding regulation of the profession) and fisheries; animal control and welfare, including licensing of dogs and facilities for their accommodation, care and burial of animals.
Committee on Health, Housing and Sanitation	All matters relating to County health services, including, in particular County health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlours and crematoria and refuse removal, refuse dumps and solid waste disposal; housing; and sanitation.

Committee on Children, Culture and Community Services	All matters relating to cultural activities, public entertainment and public amenities, including betting, casinos and other forms of gambling, racing, liquor licensing, cinemas, video shows and hiring, libraries, museums, sports and cultural activities and facilities and County parks, beaches and recreation facilities; children's welfare; and control of drugs and pornography.
Committee on Planning, Industrialization and ICT	All matters relating to County planning and development, including statistics, land survey and mapping, boundaries and fencing; ensuring that development and location of industries and industrialization policies are well planned and properly executed; and monitor the spread and enhanced use of ICT in the County Government operations to increase transparency and accountability.
Committee on Early Childhood Education, Adult Education and Vocational Training	All matters relating to pre- primary education, adult education, village polytechnics, home craft centres and childcare facilities.
Public Works, Roads and Transport	All matters relating to County transport, including county roads, street lighting, traffic and parking, public road transport and ferries

	and harbours, excluding the regulation of international and national shipping and matters related thereto; County public works and services including storm water management systems in built-up areas; firefighting services and disaster management.
Cooperative, Finance, Trade and Enterprise Development	All matters relating to Cooperative movement, micro finance institutions, empowerment of registered women and youth groups, insurance, proposed loans and advances by the Executive, trade development and regulations including markets; trade licenses (excluding regulation of professions); fair trading practices.
Committee on Labour and Social Welfare	All matters relating to labour, trade union relations, manpower or human resource planning, gender, social welfare and National Youth Service.
Committee on Administration of Law, Justice, Constitutional Affairs, Good Governance and Security	All matters relating to referendum, further Devolution in the County, issues of Integrity, Ethics and Conflicts of Interests including Anti-corruption and Human Rights; ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations in governance at the local level and assisting communities and locations to develop administrative capacity for

	<p>the effective exercise of the functions and powers and participation in governance at the local levels; administration of law and justice, including working and collaborating with national government operatives within the County especially on security matters.</p>
<p>Committee on Water, Environment and Natural Resources</p>	<p>All matters relating to the provision of clean water for Domestic use; implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising.</p>
<p>Committee on Tourism, Wildlife and Heritage</p>	<p>All matters relating to local tourism, wildlife conservation and preservation of old buildings like churches, schools, government offices, other public buildings and buildings in private homes of important people.</p>
<p>Committee on Ward Development Fund</p>	<p>All matters relating to allocation and payments of funds; ensure prudent management of funds; receive and discuss the annual reports and returns from the wards; ensure timely submissions to the County Assembly of various returns, reports and information as required under the Act; consider</p>

	<p>project proposals submitted for various wards in accordance with the Act and make appropriate recommendations to the County Assembly; Continually review, oversee the implementation, policy framework and legislative matters that may arise in relation to the Fund; and perform such other functions as may be provided for in this Act and the membership should not be more than eleven members.</p>
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Appendix 2: SAMPLE TEMPLATE FOR NOTICE OF COMMITTEE MEETING

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY

FIRST SESSION

Ref no.-

Clerk's Chambers,
The County Assembly,
County Assembly Buildings,
P.O. Box 86-40100, KISUMU.

Date

To: All Members of the Committee

MEETING OF THE SELECT/SECTORAL COMMITTEE ON

The Clerk of the County Assembly presents his compliments to the members of the County Assembly Committee on and, has the honour to inform them that a meeting of the Committee will be held on **day, date, Month and year e.g.** (Thursday, 2nd February, 2017) at **Venue and time e.g.** (Committee room, County Assembly Chamber, Members Lounge at 9.00am.)

AGENDA

1. Prayers.
2. Preliminaries.
 - i. Apologies.
 - ii. Communication from the Chair.
3. Adoption of the Agenda.
4. Confirmation of Previous Minutes.
5. Matters Arising.
6. **House Business Schedule from Wednesday 4th May, 2022 to Tuesday 10th May, 2022.**
7. Any Other Business
8. Adjournment.

Circulated to:-

- | | | |
|------------------|---|-------------------------|
| 1. The Hon. | - | Chairperson |
| 2. The Hon. | - | Vice-Chairperson |
| 3. The Hon. | - | Member |
| 4. The Hon. | - | Member |
| 5. The Hon. | - | Member |

The Serjeant-at-Arms to reserve the room.

Appendix 3: SAMPLE TEMPLATE FOR REQUEST TO SIT OUTSIDE THE PRECINCTS

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY FIRST SESSION

Clerk's Chambers,
County Assembly of Kisumu,
P. O. Box 86 - 40100,

Email: kisumuassembly@gmail.com
Web: www.kisumuassembly.go.ke

Kisumu, Kenya.

When replying please quote our reference

Ref: _____ (Committee reference Number) Date: _____

The Speaker of the Assembly,
County Assembly Buildings,
P. O. Box 86 - 40100.

Kisumu, Kenya.

**RE: REQUEST TO SIT OUTSIDE THE PRECINCTS OF THE COUNTY ASSEMBLY,
PURSUANT TO STANDING ORDER NO. 165 OF THE COUNTY ASSEMBLY
STANDING ORDERS**

Honourable Speaker,

The _____ (name of
Committee) requests to sit outside the precincts of the County Assembly, pursuant
to the relevant provisions of the County Assembly Standing Orders. The decision to
sit outside the precincts of the County Assembly was arrived at during
the.....sitting held on.....vide Minute No.....

**The objective (s) of this request to sit outside the precincts of the County Assembly
is/are to:**

a) _____

b) _____

The details of the proposed sitting(s) are as follows:

- a) Destination: _____
- b) Proposed dates of travel; commencing _____ to _____ (a total of _____ days).
- c) Number of Committee members to attend the proposed sitting(s)/event/travel: _____
- d) Balance of the Committee's budget to date: _____
- e) Estimated budget for the proposed sitting(s)/event/travel: _____
- f) The balances in the Committee's budget as shown at items (d) and (e) of this section, are: (tick as appropriate)
- i) Sufficient
- ii) Insufficient
- to cover this sitting (s)/ event/ travel.
- g) The deficit in the budget (if any) will be bridged as follows:
- i) _____
- ii) _____
- iii) _____

The legislative business pending before the Committee to date is as outlined below:

- a) Number of Petitions: _____
- b) Number of Bills: _____
- c) Number of Statements: _____
- d) Number of Reports: _____

The Committee Clerk, (Mr. / Mrs. / Miss), _____ (name), certifies that the information given above is correct.

Signature: _____ Date: _____

Signed by the chairperson of the Committee: Hon. _____ (name)

Signature: _____ Date: _____

The Director of Committee Services recommends/does not recommend this request (for the following reasons):

- a) _____
- b) _____
- c) _____

Signature: _____ Date: _____

The Deputy Clerk recommends/does not recommend this request (for the following reasons):

- a) _____

b) _____

Signature: _____ Date: _____

The Clerk of the County Assembly recommends/does not recommend this request (for the following reasons):

a) _____

b) _____

c) _____

Signature: _____ Date: _____

The Speaker of the County Assembly approves/does not approve this request (for the following reasons):

a) _____

b) _____

c) _____

Signature: _____ Date: _____

Appendix 4: SAMPLE TEMPLATE OF ATTENDANCE REGISTER

NO.

COUNTY ASSEMBLY OF KISUMU

DATE:.....

TIME:.....



THIRD ASSEMBLY FIRST SESSION ATTENDANCE REGISTER

COMMITTEE'S NAME: _____

No.	NAME	POSITION	SIGNATURE	REMARKS
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
	IN ATTENDANCE			
1	CLERK TO THE COMMITTEE			
2	SERGEANT AT ARMS			

1. INTERIM CLERK.....
2. SERGEANT AT ARMS.....



Appendix 5: SAMPLE ROLES OF OTHER TECHNICAL OFFICERS SERVING COMMITTEES

5A: ROLE OF LEGAL COUNSEL ATTACHED TO COMMITTEES OF THE COUNTY ASSEMBLY

No.	Mandate	Specific role	Output
1.	Legal advice to the Committees	Render legal advice on issues that may arise in the Committee	A brief/legal opinion on the matter to be presented to the Committee within a period of two (2) days from the date of receipt of instructions
2.	Preparation of legislative proposals	<ul style="list-style-type: none"> • Receipt of instructions regarding any proposals that the Committee may have for legislation • Where necessary, clarification of instructions with the Committee • Research regarding the proposal, existing legislation and gaps, if any; a situational analysis and best practice 	<ul style="list-style-type: none"> • A brief on the research to be submitted within a period of five days from the date of receipt of instructions • Preparation of proposals within a period of two weeks of receipt of instructions • Consideration and review of the proposal with the Committee • Where in agreement, submission of the legislative proposal for publication.

3.	Review of legislative proposals submitted to the Committees	<ul style="list-style-type: none"> • Preparation of Brief/Digest for consideration by the Committee • Scrutiny of legislative proposals that are presented before the Committee • Receipt of further instructions for review of the bill 	<ul style="list-style-type: none"> • Brief/Digest to be presented to the Committee • Incorporation of proposals for implementation of recommendations proposed by the Committee • Where so instructed, resubmission of the bill for consideration within a period of five (5) days of receipt of proposals by the Committee • Preparation of memo to the Speaker for publication of the bill within two (2) days after consideration of the bill by the Committee • Follow up with Committee Clerk to obtain letter prepared by the Committee Clerk in relation to
----	---	---	---

			<p>legislative proposal considered by the Committee, pursuant to Standing Orders 115(c) of the County Assembly</p> <ul style="list-style-type: none">• Submission of the memo to the Speaker on the date of receipt of the correspondence to the Speaker prepared by the Committee Clerk• Preparation of moving notes for the Member for purposes of moving the bill during Second Reading
--	--	--	---



No.	Mandate	Specific role	Output
4.	Public hearings	Review and consolidate amendments received from members of the public regarding a bill	<ul style="list-style-type: none"> • Review of the submissions made by the public to the Committee, with a view to preparing Committee stage amendments in the House • Preparation of matrix regarding issues raised by the public on the bill
5.	Committee Stage Amendments	Preparation of Committee stage amendments for approval by the Committee	<ul style="list-style-type: none"> • Preparation of Committee stage amendments based on the recommendations of the Committee • Review of the Committee stage amendments with the Committee • Liaison with the chairperson of the Committee for signature of the amendments • Submission of the Committee stage amendments to the Directorate of Legislative and

			<p>Procedural Services</p> <ul style="list-style-type: none"> • Preparation of moving notes for the Member for purposes of moving the Committee stage amendments
6.	Petitions	Advising the Committee on legal issues arising out of a petition	<ul style="list-style-type: none"> • Preparation and presentation of a brief on legal issues arising out of a petition within a period of five (5) days from receipt of the petition <p>Preparation of recommendations arising out of the legal issues for inclusion in the report of the Committee</p>

No.	Mandate	Specific role	Output
7.	Vellum	Preparation of vellum for forwarding to Governor for assent.	<ul style="list-style-type: none"> • Preparation of vellum within a period of twenty-four (24) hours from the receipt of the Votes and Hansard • Transmission of documents to the Governor
8.	Work Plan	Tracking of legal issues that have been or are to be considered by the relevant Committee	Preparation and up-to-date record of status of the bills and other legal issues that have been or are under consideration by the Committee

Appendix 5B: SAMPLE ROLE OF RESEARCH OFFICERS IN COMMITTEES

IMPORTANCE OF RESEARCH SERVICES/OFFICERS IN COMMITTEES

- (1) Enhance the constitutional order and democratic principle of separation of powers by providing members/Committees with in-depth and independent research and policy analysis, to enable them discharge their mandates and functions effectively;
- (2) To respond to requests from Committees and individual members to prepare or analyze information regarding policy and legislative issues, thus enhancing Members' core functions - Law making, oversight and representation, collectively and individually;
- (3) Provision of non-partisan and impartial professional advice, information, facts, legal interpretation, analyses and overall technical support (for instance on bills, sessional papers, *et cetera.*) to County Assembly Committees;
- (4) Document, search, dig out and assemble information in form of facts and data on, for example, procedures and operations of County Assembly; evolution, growth and contemporary aspects of County Assembly; and rulings of the Chairs, *et cetera*;
- (5) To develop fact sheets on various aspects of County Assembly and promote diplomacy.

The bottom line for existence of a strong research capacity in County Assembly is to fulfill certain specific purposes e.g.

- i) To sharpen the focus of scrutiny/oversight;
 - ii) To improve the quality of legislation;
 - iii) To promote public awareness and knowledge of County Assembly itself vs. checks and balances;
 - iv) To empower the people to engage with the Members;
 - v) To raise the standard and quality of debate.
-

Specific Roles of Research staff in Committees

- (1) Gathering facts, analyzing policy issues and trends to enable Committees track and understand current issues and historical perspectives;
 - (2) Gathering facts and documentation on procedures and practices;
 - (3) Facilitating specialized advice (think-tanks);
 - (4) Supporting/Assisting Committee clerks to prepare speeches, talking notes, background information, discussion papers and reports;
 - (5) Providing updates and country perspectives and practices in other County Assembly jurisdictions;
 - (6) Where deemed necessary, attend sittings/hearings, accompany members on study tours/inspection visits.
-

Appendix 5C: SAMPLE ROLE OF HANSARD/AUDIO OFFICERS IN COMMITTEES

THE HANSARD DEPARTMENT AND COMMITTEES

The mandate of the Hansard Department is derived from the County Assembly Standing Orders 230, which states as follows:–

- (1) There shall be published within forty-eight (48) hours, a verbatim report of all proceedings of the County Assembly, unless the Speaker is satisfied that this is rendered impossible by some emergency;
- (2) Every Member shall have an opportunity to correct the draft verbatim report of his or her contribution, but not so as to alter the substance of what the Member actually said;
- (3) Where there is doubt as to the content of the verbatim record of the County Assembly, the Speaker shall make a determination.

Consequently, preparation of printed copies of County Assembly and Committee proceedings is the responsibility of the Hansard Department. While practicality would have demanded that all proceedings of Committees be audio-recorded, the transcription of verbatim reports is done only for some select Committees on a need-to basis. This is important for the following reasons:–

1. **The Hansard Report is a legislative tool:** Most business is considered in Committees before being presented in the plenary for resolution. In the case of bills, verbatim reports of the Committees' proceedings guide the House in the process of legislation.
 2. **Records of decisions taken in Committees:** The verbatim reports take note of key decisions (Committee resolutions and recommendations) taken in Committees. These are later on debated in plenary. The courts may on certain occasions demand for these reports to review the direction taken by a Committee on a certain matter.
-

3. **Ensures transparency and accountability:** Verbatim reports of Committees conducting scrutiny of accounts such as the CPAIC are crucial in reviewing usage of finances by counties.
4. **for posterity:** In some instances, verbatim reports are prepared for posterity and are often used as reference materials. For example, reports of public hearings on bills give an opportunity to the public to know what fellow Kenyans said about the proposed legislation.
5. Ad hoc Committees that are constituted by certain resolutions of the House must be covered by the Hansard because they conduct business that could affect management of various Government functions and institutions. For example, an impeachment Committee determines whether a county governor will continue holding office. A verbatim report of these deliberations is, therefore, crucial.

Appendix 5D: ROLE OF FISCAL ANALYSTS/BUDGET OFFICERS IN COMMITTEES

THE POWER OF THE PURSE

The budget is the single most important vehicle available to any nation to deliver its national agenda. The national agenda to our people is an efficient and effective delivery of services. As the representatives of the people, the legislators thus have a huge mandate to scrutinize and approve the budgets.

Functional Role of Fiscal Analysts in support of the County Assembly Committees

They provide technical assistance to Members of County Assembly in matters budget and the budget process.

In conclusion, budgeting is a process rather than an event, and budget cycles are ongoing and interconnected. To keep track of all relevant issues, legislators have to follow the entire process as it unfolds. Legislative oversight is now not restricted to budget approval and the review of audit findings. Continuous oversight is now more important than ever before.

Appendix 5E: ROLE OF SERJEANT-AT-ARMS OFFICERS IN COMMITTEES

The Department of Serjeant-At-Arms collaborates with the Directorate of Committee Services to offer support in their day-to-day operations in the following key areas:–

1. Reservation of Committee rooms and venues for hosting of Committee sittings in County Assembly;
 2. Working alongside officers in the Security agencies in the provision of safety and security to Members of County Assembly and staff during Committee field visits to counties in liaison with other national security organs such as the local Police;
 3. Working with Security agencies to provide security checks and crowd control during Committee visits and public hearings within and outside precincts of County Assembly;
 4. Supervision of cleaning and organization of Committee rooms and other meeting venues;
 5. Security clearance and escorting of dignitaries such as governors, CECMs and principal secretaries, among others, while attending meetings with the Committees of the County Assembly;
 6. Custody of firearms belonging to members and VIPs attending Committee sittings;
 7. Providing security briefs to members and County Assembly leadership before proceeding to visit any place outside County Assembly;
 8. Making arrangements for security coverage and escorts for members while visiting any place in the county;
 9. Providing messengerial services during Committee sittings under the direction of the Committee Clerk and the chairperson;
-

10. Making arrangements for refreshments for MCAs, staff and visiting delegations during Committee sittings;
 11. Escorting errant members and witnesses out of the Committee room on the direction of the chairperson;
 12. Present to Committees persons to be examined as witnesses;
 13. Control and regulate admission of persons into Committee rooms under the guidance of the Committee clerks;
 14. In liaison with other security apparatus, conduct risk assessment prior and during Committee field visits and design suitable mitigating measures to safeguard the Members of County Assembly and staff;
 15. Service of summons to witnesses who may be required to give evidence.
-

Appendix 5F: ROLE OF SECURITY AND SAFETY OFFICERS IN COMMITTEES

ROLE OF SECURITY AND SAFETY DEPARTMENT OFFICERS IN COMMITTEES

The primary responsibility of the Security and Safety Department is the provision of a full range of security and safety services for the protection of members of County Assembly, staff, visiting delegations and properties. The Department collaborates with the Directorate of Committee Services to offer support in their day-to-day operations in the following key areas:–

1. Booking of visitors/guests at the entrances;
 2. Issuance of entry badges to visitors;
 3. Allocation of mail to Members' pigeon holes;
 4. Screening of visitors/strangers;
 5. Storage of visitors' luggage;
 6. Control traffic/parking;
 7. Patrolling of offices, car parks and lounges;
 8. Preventing removal of institutional property without proper and authorized documentation;
 9. Perform security night duties.
-

Appendix 6: SAMPLE TEMPLATE FOR ASSORTED CORRESPONDENCES

ACKNOWLEDGEMENT LETTER

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY FIRST SESSION

(Font: Maiandra GD; Font Size: 12)
Ref.

Date (Date/Month/Year)

Addressee's Name,
Street,
Building,
P.O. Box,
KISUMU.

ATT: Name of the Officer (Optional, where a particular officer is to deal)

Dear (leave this blank)

RE: (use the same reference used in the letter that is being acknowledged)

The above matter refers.

We acknowledge, with thanks, receipt of your letter or copy of the letter Ref. No., dated, the contents of which we have noted.
We shall revert substantively in due course.

Yours (leave blank)

**NAME OF THE CLERK,
CLERK OF THE COUNTY ASSEMBLY/SECRETARY,
OR**

**YOUR NAME,
YOUR DESIGNATION,
FOR: CLERK OF THE COUNTY ASSEMBLY/SECRETARY CASB**

Copy to: If several persons are to be copied, arrange the names in order of precedence.

When replying please quote our reference

Appendix 7: SAMPLE TEMPLATE FOR GENERAL CORRESPONDENCES

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY

FIRST SESSION

Our Ref: _____

Date: _____

Addressee's Name
Street
Building
P.O. Box
KISUMU.

Dear (leave blank),
RE: (SUBJECT MATTER)

_____.

Mr./Ms. _____, Clerk Assistant (**email: telephone number**), is the Clerk to the Committee, and is responsible for arrangements relating to this matter.

Yours (leave blank)

**NAME OF THE CLERK,
CLERK OF THE COUNTY ASSEMBLY/SECRETARY CASB.**

When replying, quote our reference



Appendix 8: SAMPLE TEMPLATE FOR LETTER UNDER DIRECTION

LETTER UNDER DIRECTION

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY

FIRST SESSION

(Font: Maiandra GD; Font Size: 12)

Ref. _____

Date ____ (Date/Month/Year)
(e.g. 9th September, 2013)

Addressee's Name
Street
Building
P.O. Box
KISUMU.

ATT: Name of the Officer (Optional, where a particular officer is to deal)

Dear (leave this blank)

RE: (if replying to a letter, use the same reference as that on the letter; if not, the reference should be a concise summary of the subject of your letter)

The above matter refers.

We acknowledge, with thanks, receipt of your letter Ref. No., of, *et cetera*.

I am directed by the Clerk of the County Assembly to (inform you that) (to write to you as follows)

Yours (leave blank)

**YOUR NAME,
YOUR DESIGNATION,**

FOR: CLERK OF THE COUNTY ASSEMBLY



Copy to: If several persons are to be copied, arrange the names in order of precedence.

When replying please quote our reference

Appendix 9: SAMPLE TEMPLATE FOR LETTER TO INVITE A WITNESS

LETTER TO INVITE A WITNESS

(Font: Maiandra GD; Font Size: 12)

COUNTY ASSEMBLY OF KISUMU



THIRD ASSEMBLY

FIRST SESSION

Ref.

Date (Date/Month/Year)

Addressee's Name,
 Street,
 Building,
 P.O. Box,
KISUMU.

ATT: Name of the Officer (Optional, where a particular officer is to deal)

Dear (leave this blank)

RE: INVITATION TO ATTEND A MEETING OF THE COMMITTEE

Above matter refers.

The Sectoral Committee on is charged with the responsibility of (Mandate of the Committee).

The Committee is presently considering the

During its sitting held on the Committee resolved to invite you to apprise the Committee on matters relating to



We request that you prepare to address the Committee on these and other relevant issues on(Date) at(Time) in(Venue). We further request that any relevant documentation you may wish to present to the Committee be forwarded to our offices on or before (ahead of the meeting) to enable the Committee to acquaint itself with the documentation prior to the date of the meeting.

(Name of the Clerk to the Committee), (Telephone number) (Email)....., is the Clerk to Committee and is responsible for all arrangements relating to this matter.

Yours (leave blank)

**NAME OF THE CLERK,
CLERK OF THE COUNTY ASSEMBLY/SECRETARY, CASB**

OR

**YOUR NAME,
YOUR DESIGNATION,
FOR: CLERK OF THE COUNTY ASSEMBLY**

Copy to: If several persons are to be copied, arrange the names in order of precedence.

When replying please quote our reference



Appendix 10: SAMPLE TEMPLATE FOR ASSORTED COMMITTEE REPORTS

TYPES OF COMMITTEE REPORTS

NB: COMMITTEE REPORTS AND COMMUNICATION TO BE DONE IN AN AGREED FONTS

There are various reports that can be generated by Committees of County Assembly and these include reports on; public hearings, vetting of nominees to public offices, inspection tours, inquiry, bills, study tours, annual estimates, and progress reports (quarterly, bi-annual, annual and Sessional reports).

SAMPLE TEMPLATES FOR VARIOUS REPORTS

1. PUBLIC HEARINGS REPORT

SECTION	CONTENTS	REMARKS
Cover Page	Kisumu County Assembly/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees	
	Membership of the Committee	

Background	Information on how the public hearing came about	
	The relevant Committee directed by the Speaker to handle the matter and the timelines provided for the exercise	
Executive Summary	Centres where the public hearings took place	
	Members of County Assembly who attended the public hearings and the centres that they went to	
	Summary of Findings	
	Summary of Observations	
	Recommendations	
	Acknowledgments	
	Signature/Name of the chairperson/ Name of Committee and Date	
Body of the report	Introduction Information on how the public hearing came about	
	Evidence Submissions from all centres where the hearings took place	

	Summary of the information on any memoranda that may have been sent to the Committee	
	Findings	
	Observations	
	Recommendations	
Appendixes	List of Participants/Witnesses	
	Minutes	
	Papers laid	

2. VETTING REPORT

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees (In case of sectoral Committees)	
	Membership of the Committee	

Executive Summary	<ul style="list-style-type: none"> • State the Act and the provisions that provides for appointment of the nominee/s • State the shortlisting criteria that the panel adopted • State number, names and positions of candidates who were shortlisted for the position by the selection panel • State the dates when the interviews were carried out • State the name/s of the candidate/s who were proposed for appointment by the President • State the names of the candidates who were appointed by the president • State the date when the name/s of the nominee/s got referred to the Committee 	
Body of the report	Consideration of the curriculum vitae of the nominee/s	
	Observations	
	Recommendations	
Appendixes	Minutes	
	Papers laid	

3. *INSPECTION TOURS REPORT*

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session.....	
	Name of the Committee	
	Title of the report	
	Origin of the report/Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees (In case of sectoral Committees)	
	Membership of the Committee	
Executive Summary	Reasons and objectives for the inspection	
	The members of the Committee who undertook the inspection tour	
	Places visited/inspected	
	Number of sittings that the Committee held and with whom	
	Findings	
	Observations	
	Recommendations	
	Acknowledgments	

	Signature/Name of the chairperson/ Name of Committee and Date	
Body of the report	Introduction Sub-topics on the matter under consideration	
	Evidence Include names of witnesses who appeared before the Committee in order in which they appeared and their submissions	
	Findings	
	Observations	
	Recommendations	
Appendixes	Minutes	
	Papers laid	

4. *INQUIRY REPORT*

A Committee inquiry can be initiated by the Committee itself, or be referred to the Committee by the County Assembly.

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees	
	Membership of the Committee	
Executive Summary	Information on how the enquiry came about	
	Number of sittings that the Committee held and with whom	
	Findings	
	Observations	
	Recommendations	
	Acknowledgments	

	Signature/Name of the chairperson/ Name of Committee and date	
Body of the report	Introduction Sub-topics on the matter under consideration	
	Evidence Include names of witnesses who appeared before the Committee in order in which they appeared and their submissions	
	Findings	
	Observations	
	Recommendations	
Appendixes	Minutes	
	Papers laid	

5. *BILLS REPORT*

A bill is a legislative proposal that is usually presented to the House by way of First Reading. All bills in the County Assembly stand committed to the relevant sectoral Committee, a select Committee or such a Committee as the Speaker may determine. The Committee is required to facilitate public participation and thereafter, having taken into account the views and recommendations of the public present its report on the Bill within twenty (20) calendar days.

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report	
	Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees	
	Membership of the Committee	
Executive Summary	Information on when the bill was read a first time	
	Number of sittings that the Committee held and with whom	

	Summary of the amendments	
	Signature/Name of the chairperson/ Name of Committee and date	
Body of the report	Introduction Sub-topics on the matter under consideration	
	Evidence Include who appeared before the Committee and their submission in order in which they appeared	
	Recommendations Committee amendments/proposals	
Appendixes	Minutes	
	Papers laid	

6. STUDY TOURS REPORT

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		

Preface	Mandate of the Committee	
	Department that the Committee oversees (In case of departmental Committees)	
	Membership of the Committee	
Executive Summary	Reasons and objectives for the study tour	
	Places visited/inspected	
	The members of the Committee who undertook the study tour	
	Number of sittings that the	
	Committee held and with whom	
	Findings	
	Observations	
	Recommendations	
	Acknowledgments	
	Signature/Name of the chairperson/ Name of Committee and date	
Body of the report	Introduction Sub topics on the matter under consideration	
	Evidence Include names of places	

	visited, and submissions made and by whom	
	Findings	
	Observations	
	Recommendations	
	Appendixes	Minutes
	Papers laid	

7. ANNUAL ESTIMATES REPORT

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Votes considered in the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee – State the Standing Orders that mandates the Committee	

	Committee areas of coverage e.g. departments	
	Membership of the Committee	
Executive Summary	Number of sittings that the Committee held and with whom	
	Policy and budget documents that the Committee considered	
	Areas of concern	
	State whether the Committee agrees to the withdrawal of the monies from the Consolidated Fund for use by the Ministry	
	Recommendations	
	Acknowledgments	
	Signature/Name of the chairperson/ Name of Committee and Date	
Body of the report	Introduction Sub-topics on the matter under consideration	
	Notes on various votes and recommendations for every vote	
Appendixes	Minutes	
	Papers laid	

8. **QUARTERLY/ ANNUAL/BI-ANNUAL**

SECTION	CONTENTS	REMARKS
Cover Page	County Assembly of Kisumu/Logo	
 County Assembly – Session....	
	Name of the Committee	
	Title of the report	
	Origin of the report/ Month and year of authoring the report	
Table of Contents		
Preface	Mandate of the Committee	
	Department that the Committee oversees (In case of departmental Committees)	
	Membership of the Committee	
Executive Summary	Cite the S.O that requires that the reports be produced	
	Observations	
	Recommendations	
	Acknowledgments	
	Signature/Name of the chairperson/ Name of Committee and Date	
Body of the report	State the agreed performance targets vis-à-vis the achievements	

	Findings	
	Observations	
	Recommendations	
Appendixes	Minutes	



Appendix 11: SAMPLE TEMPLATE FOR COMMITTEE WORK PLAN/SCHEDULE OF ACTIVITIES

COMMITTEE ON LABOUR AND SOCIAL WELFARE L

OBJEC TIVE	Activit ies	Perform ance Indicato rs	Comm ittee Target	Time Frame								Respon sible Officer s.	Outco mes
				FY2021/2022				FY2022/2023					
				Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4		
Technica l/ logistical Support to Committ ees	Assist in draftin g commi tee reports	Approve d reports	12									Researc h Officers	Struct ured and well define d comm ittee proces ses
	Comm ittee	Number of minutes	4									Comm ittee Clerk	

Induction of Committee Members and Secretariat	Training, Capacity/skills Building	Strengthen their capacity and breed skilled and well informed legislators and workforce. Inducting them on the mandates, procedures and management to enable them make them more effective in their decision-making	Reports, Programme, list of attendance and resource persons	Improvement in leadership and management of the Committee	22 (15 Hon Members and 5 secretariat) 2 experts on matters Health Services	November	1,534,400 (budget for the entire exercise)
	Identification of resource persons	Facilitators identified	Presentation by resource persons	Resource persons made their presentations	2	November	100,000 (Payment for the facilitators for 5 days)

	Identification and procurement of venue (Nakuru)	Venue identified and procurement in progress	Venue procured	Retreat held	22 Pax	November	505,120 (Payment for conference room and lunches for 5 days)
	Facilitation for Hon Members and secretariat	Payment of per diem and transport allowances	Per diem and transport allowances paid	Hon Members and Secretariat facilitated	20	November	929, 280 (Payment for 5 days' per diem and 2 days' transport)
Consideration of legislative proposals (Bills, Policies etc.)	Conducting public participation as per the Constitution and enabling laws	Improved public engagement in law making	Gazette Notices, attendance registers reports	Good governance	1. Acts Kisumu County Community Health Services Act. Kisumu County Public Health and	Half yearly	1,003,224 (Payment for venues and facilitation)

					<p>Sanitation Act, Kisumu County Health Act.</p> <p>2. Policies. K.C Administration of medicines Policy. K.C Health and Safety Policy.</p>		
	Consideration of the report from public participations held (Nakuru/Nairobi).	Final Committee reports to be tabled before the House for	Reports and Attendance registers	Accomplished statutory mandate.	5 reports	Half yearly	1,932,504 (Payment for conference room, lunches and facilitation

		consideration for adoption					of the Committee)
Inter-Parliamentary affairs	Study Visits with the approval of Hon Speaker	Report on the activity expected to be tabled before the House	Attendance register, Report tabled	Learning, sharing and appreciation of best practices for improved legislative skills	2	Half Yearly	1,858,560 (Facilitation for the Committee allowances for two study visits – 5 days per visit)
Thematic workshops for the Committee	State of Health Services in the County	Report expected to be tabled before the House	Committee annual work plan	Effective oversight and representation	4	Quarterly	3,717,120 (Facilitation for the committee allowances)
TOTAL ESTIMATE						KSHS. 10,045,808	

Appendix 13: GUIDELINES ON FOREIGN TRAVEL BY COUNTY ASSEMBLY COMMITTEES

1. Adherence to Standing Orders of the County Assembly

Each Committee seeking to travel must abide by the requirements of the template for requesting to sit outside County Assembly. Among others, the Committee must establish if funds are available for the travel and also ensure that all legislative business (i.e. petition, bills, statements, and reports) placed by the House before it has been addressed effectively and exhaustively before date of travel.

2. Work plans and Budget estimates

Each Committee should prepare work plans and budget estimates incorporating Committee travel schedules for consideration by the Liaison Committee at commencement of each session or financial year in order to ensure harmony and ease of budgetary allocation.

3. Correspondence

All correspondence for foreign travel should be routed through the Ministry of Foreign Affairs and International Trade and not through foreign missions domiciled in Kenya. Such notice of intention to travel should be sent out at least two months before the date of travel.

4. Purpose of visits

Visits must always be related to an inquiry within the Committee's mandate or order of reference with which it is currently concerned and on which the Committee intends to make a report. In general, a visit should not be made at the beginning of an inquiry but only after preliminary work has been done.

Before proposing an overseas visit, Committees should always consider whether the information they seek could be obtained by written evidence, by oral evidence given in this country by witnesses from overseas or by video-conferencing.

If one or two Committees have interest in a certain destination, this needs to be harmonized and coordinated to prevent host fatigue. County Assembly employees serving respective Committees are advised to make informal contacts with counterparts in the County Assembly for synchronized travel plans.

5. Frequency of visits

No Committee should normally initiate and make more than two visits in any one financial year.

Committee-initiated foreign travel will only be taken as far as practicable during recess periods i.e. in April, August and December, with exception being consideration for travel upon official invitation, funds allowing.

6. Delegation or Numbers

It is recognized that the appropriate number of Members of County Assembly who should take part in a visit depends on the nature and purpose of each visit, but the advantages of sending smaller groups to collect information which can be reported back to the full Committee should be considered. It is recommended that discussions are better conducted by between three to five Members of County Assembly, at most.

7. Staff numbers

The Clerk of the Committee may be accompanied by other staff with well-defined roles and responsibilities set out.

8. Duration of Foreign Travel

Where travel is planned to any County Assembly abroad, this should not take more than six days (including travel time) wherein official engagements in host County Assembly should not exceed three working days.

9. Medical insurance cover

Officers should also ensure that members and staff travelling abroad have the requisite medical certificates as necessary.

10. Pre-departure briefs

Committees should get and be briefed before departure by relevant officers to enable members familiarize themselves with the requisite protocol and etiquette briefs of host countries' needs and expectations.

11. Quorum

A quorum of the Committee must normally be present throughout the visit although separate visits by inquorate (i.e. lacking in quorum) groups of members in the course of a single visit are permissible and may in some circumstances be advisable.

12. Attendance throughout the visit

The approval of a visit by the chairperson of the Liaison Committee is on the understanding that, except in cases of emergency, all members taking part in that visit will remain with the Committee for the whole period of its work.

13. Partners of Members

The approval by the Liaison Committee of a visit is on the understanding that no partners of members will take part in that visit or attend any official meetings or social functions at

which the members of the Committee are present during the visit.

14. Gifts and Memorabilia

The office of the Clerk will organize to have relevant gifts and memorabilia ready for each delegation. In accordance with the *Public Officer Ethics Act* official gifts exceeding Kenya Shilling Ten Thousand (Kshs. 10 000) should be declared, and should be presented to the Clerk's office for custody and registration upon return.

15. Accommodation, subsistence, *et cetera*

All accommodation and travel costs should normally be borne by Committee members' travel allowances (per diems) allocated and not by their hosts. Where requests have been made to hosts to make bookings for accommodation and transport, delegations should normally honor such bookings.

Committees should not normally accept any funding for travel from any interested private parties. Committees should not put themselves in a position of relying on, or appearing to incur debts of gratitude from interested parties whether in Kenya or abroad.

16. Reciprocal Visits by host County Assemblies to the County Assembly

After the conclusion of a benchmarking visit by a Committee to another jurisdiction, the Committee to extend an invitation for a reciprocal visit for the hosts.

17. Appreciation Letter

Every foreign visit must be followed by an appreciation letter addressed to the Clerk/Secretary General of the host County Assembly.

18 Report on the Committee Visit

The Secretariat will draft a report of each visit and shall present it to the Committee for consideration within two weeks after the travel. It will then be adopted by the Committee then tabled in the County Assembly.

REFERENCES

1. The Republic of Kenya (2010), *The Constitution of Kenya*.
 2. The Republic of Kenya (2010), *The County Assembly Standing Orders*, 9th January, 2013, and 25th November, 2014.
 3. The Republic of Kenya (2008), *County Assembly Standing Orders*, December 2008.
 4. United Kingdom, *House of Commons Rules of Procedure*, available at: www.theguardian.com/politics/2001/oct/30/houseofcommons.uk2; <http://www.CountyAssembly.uk/site-information/glossary>
 5. The Republic of Kenya (2010), *County Governments Act* (2012).
 6. Handbook on operations of Committees (1st Edition), The Senate.
 7. Gichohi, Patrick. G. (May, 2009, 2nd Edition), *Effective County Assembly Committee Membership-A Guide for Members of County Assembly*, Wapa Publications:
-

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