

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SIXTH SESSION

Tuesday 29th March, 2022

House met in the Main Chamber at 2:30 p.m.

(The Temporary Speaker (Hon. Inviolata Adhiambo) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Inviolata): Good afternoon Honourable Members. Pursuant to the provisions of County Assembly of Kisumu Standing Order No. 32 (2), I want to request the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Inviolata): Hon. Deputy Majority Whip, could you please confirm if we have the quorum.

Deputy Majority Whip (Obonyo): Thank you Madam Speaker, I confirm that there is quorum.

The Temporary Speaker (Hon. Inviolata): Thank you. Mr. Clerk, could you please take us through the Order of this afternoon.

The Temporary Speaker (Hon. Inviolata): Next order!!

PAPERS LAID

REPORT FROM THE SELECT COMMITTEE OF IMPLEMENTATION ON ITS
CONSIDERATION OF THE STATUS OF KISUMU COUNTY ROADS DEVELOPMENT
PROJECT FY 2020/2021

BY

HON. ERICK AGOLLA, MCA, SOUTH WEST KISUMU.

(CHAIRPERSON, IMPLEMENTATION COMMITTEE)

REPORT FROM THE SELECT COMMITTEE OF COUNTY BUDGET AND
APPROPRIATIONS ON ITS CONSIDERATIONS ON THE KISUMU COUNTY FISCAL
STRATEGY PAPER FY 2022/2023.

BY

HON. STEVE OWITI, MCA, KOLWA EAST.

(CHAIRPERSON, COUNTY BUDGET AND APPROPRIATIONS COMMITTEE)

The Temporary Speaker (Hon. Inviolata): Hon. Erick Agolla.

Hon. Agolla: Thank you Madam Speaker. Allow me to lay this Paper. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 182 (6), I wish to lay today Tuesday 29th March, 2022, Report from the Select Committee of Implementation on its consideration of the Status of Kisumu County Roads Development Project FY 2020/2021. Thank you.

(Hon. Agolla tables the report before the House for consideration)

The Temporary Speaker (Hon. Inviolata): Thank you. I confirm the receipt of the report from the Select Committee on Implementation on its consideration of the Status of Kisumu County Roads Development Project FY 2020/2021. Honourable Members, I want to commit this report to the Select Committee of House Business so that it can be scheduled for discussion in the House.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Aslam Khan.

Hon. Khan: Thank you Madam Speaker, please allow me to lay a Paper on behalf of Hon. Steve Owiti.

The Temporary Speaker (Hon. Inviolata): Please proceed.

Hon. Khan: Thank you Madam Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 182 (6), I wish to lay today Tuesday 29th March, 2022, the Select

Committee of Budget and Appropriations report on its considerations on the Kisumu County Fiscal Strategy Paper FY 2022/2023. Thank you.

(Hon. Khan tables the report before the House for consideration)

The Temporary Speaker (Hon. Inviolata): Thank you. I confirm the receipt of the report on the Budget and Appropriations Committee report on its considerations on the Kisumu County Fiscal Strategy Paper FY 2022/2023. I want to commit this report to the House Business Committee so that it can be scheduled for discussion in the House. Thank you.

The Temporary Speaker (Hon. Inviolata): Next order!!

NOTICES OF MOTION

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Aslam Khan.

Hon. Khan: Thank you Madam Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 45 (1), I wish to give a Notice of Motion on a Report from the Select Committee of County Budget and Appropriation on its consideration on the Kisumu County Fiscal Strategy Paper (KCFSP) FY 2022/2023. Thank you.

The Temporary Speaker (Hon. Inviolata): Hon. Erick Agolla.

Hon. Agolla: Thank you Madam Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 45 (1), I wish to give a Notice of Motion on a Report from the Select Committee of Implementation on its consideration of the Implementation Status of Kisumu County Roads Development Project FY 2020/2021. Thank you.

The Temporary Speaker (Hon. Inviolata): Next order!

STATEMENTS

The Temporary Speaker (Hon. Inviolata): Hon. Erick Agolla.

Hon. Agolla: Thank you Madam Speaker. Pursuant to Standing Order No. 41 (2), (b) of the Kisumu County Assembly Standing Order, I wish to request for a Statement from the Chairperson, ECDE, Adult Education and Vocational Training regarding the Scholarship of FY 2020/2021 Education Calendar.

Madam Speaker, we are aware that in the year 2022, our children sat for the KCPE exams for the education calendar of 202. We also expect the calendar to end this year.

Following the KCPE results that was released the other day, this House would like to be informed what measures have been put in place to ensure that the 10th scholarship per ward joins Form I

without delay considering the fact that we have experienced the same. In that regard, let the committee investigate and inquire into

- a) When will the County release the funds for the scholarships?
- b) When will the bursary funds be released for high school, college and university students?

It is a concern because the schools are scheduled to be opened very soon. Allow this matter be treated with urgency it deserves. I also want to request you through Standing Order No. 1 to allow this matter to be discussed by the House. So, if you revoke this Standing Order, it will allow Members to add their voice. Otherwise, thank you.

The Temporary Speaker (Hon. Inviolata): Thank you Hon. Agolla, I will only allow contributions from members for one minute, and that would be if they have a burning issue.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Ngeta.

Hon. Ngeta: Madam Speaker, the issue before us is...

Hon. Okumu: A point of Order Madam Speaker

The Temporary Speaker (Hon. Inviolata): What is your point of order Hon. Seth Okumu?

Hon. Okumu: *(On a Point of Order)* Thank you Madam Speaker. If I heard Hon Erick Agolla clearly, he asked you to revoke the Standing Order that's why I needed clarification on because he is trying to tell me that he meant invoke but not revoke, thank you.

The Temporary Speaker (Hon. Inviolata): Okay, proceed Hon. Ngeta.

Hon. Ngeta: Madam Speaker, these matter of Bursaries and Scholarships has been an issue of push and pull, and I believe that we can still summon the CEC Member for Education, Human Resource and ICT so that we can be enlightened on the fate of our children.

Madam Speaker, education is the backbone of the foundation of our children and it is quite unfortunate that they get to suffer distress as a result of lack of fees. There was an issue that occurred last year on the missed sponsorships and I am afraid of it recurring again. I appreciate Hon. Agolla for bringing up this matter to the House and urge members to support it so that we can get a way forward on the same, thank you.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Ogutu

Hon. Ogutu: Thank you Madam Speaker, I appreciate Hon. Erick Agolla for bringing this matter up especially during this campaign period. Madam Speaker, people keep on asking about the bursary wherever you go when we are doing our campaigns. We are aware that the County government released part of these monies in the last FY's bursary for Forms 3 and 4. However, funds for Forms one, form twos, universities and colleges have not been disbursed and are still

held up at the Executive and I believe that Hon. Agolla has captured it quite well. Madam Speaker, we are talking about students who have done their exams and excelled, and I have received visits from parents whose children have passed and awaiting to join form 1 this year.

Madam Speaker, it is a big concern because we have not paid Bursaries and Scholarships for last FY for the students and we already have new students who are supposed to join and need both Scholarships and Bursaries. It is quite unfortunate that the Chair of this particular crucial Committee of Education, Hon. Arao, isn't present in the House but I believe that Hon. Agolla thought it prudent to bring the matter up and something has to be done about it urgently. That is because, if form ones and twos have not received their bursaries, universities and middle colleges students have equally not received their bursaries yet and we are here talking about those who are supposed to join secondary schools, then we are trading on a very dangerous grounds so to believe. Remember this is an electioneering year where parents whom we promised heaven are being faced physically.

Madam Speaker, at times when I am campaigning, I am being asked questions which I cannot even respond to. We should compel the Chairperson of this Standing Committee to move with haste so that we help the other students and also work with the same speed towards the incoming sponsored students who has just sat their examinations.

Madam Speaker, since the form four students are clearing their exams, very soon the university students will also be hitting the villages. The only thing that we can do is to compel our Chairperson because he has never been serious with this particular department. Let him move with speed and bring a report to this House so that we can know where the problem is. As a county government, if we can be able to sit and identify the problem, then we will walk in uniformity. It is not right because our competitors are at the ward level and capitalizing on these issues. Madam Speaker, they are in the campaign trail spreading propaganda that 'the bursaries has been eaten by the current Honourable Member' yet you know how getting money from the executive wing of the government and 'eating' is not easy. It is something that you cannot even try to do.

Madam Speaker, let us compel the Chairperson to bring before this House a report so that we can also clear our names as we campaign outside there. It will consequently help our Governor to achieve his second term smoothly, thank you Madam Speaker.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Oiko Pete.

Leader of Minority (Hon. Oiko): Thank you Madam Speaker. The issue of Scholarships and Bursaries are not only being addressed today, this is something that we have lived with since we came to this Assembly. The blame is on us we the elected members. When are they released? We know that. However, the last Financial Year is over and the bursaries disbursements has not been completed. We are going to a new Financial Year. What is this? We are talking as if we do not

know what the Chairperson of this Standing Committee is supposed to do yet these issues have been discussed here severally and we never face the office that brings the problem.

Madam Speaker, for example, right now, the Scholarships and Bursaries were released in piece meal to form threes and form fours. Now the Department is trying to address those of form ones and twos is when they will move to release funds for the college students. These are common knowledge we know and why it is done in that manner. It is the Finance Department that is doing this. So, let this Assembly be strong enough and face this department. Let us not hide under the guise of the Education Department because the minister was very clear. He only disburses what he has been released. The CEC Member for Education makes request to the Finance Department and whatever amount he receives is what is disbursed. Let the Assembly face the Finance Department on this issue and then we shall sort it. If push comes to shove that, let the Assembly face the Governor with this problem of bursaries we are facing on the ground so that we get an answer. Madam Speaker, but, let us not beat around the bush because where the problem lies is a common knowledge to us. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Honourable Members, I believe your point has been taken home. I will now commit this Statement to the ECD and Vocational Training Committee and the matter is of urgency. I therefore request the Standing Committee of ECD to give this House a feedback in a weeks' time. Thank you

The Temporary Speaker (Hon. Inviolata): It is a statement hour?

The Temporary Speaker (Hon. Inviolata): Next Order!

MOTION

REPORT FROM THE STANDING COMMITTEE OF COOPERATIVES, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT ON ITS CONSIDERATION OF KISUMU COUNTY EDUCATION FUND QUARTELY REPORTS AND FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31st DECEMBER, 2021

BY

HON. PAUL OKIRI, MCA, WEST KISUMU.

(CHAIPERSON, STANDING COMMITTEE OF COOPERATIVES, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT)

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you very much Madam Speaker. Background Information.

Hon. Speaker, the provisions of Section 116(1) of the Public Finance Management Act, 2012 allows for establishment of a County Public Fund by the County Executive Committee Member

responsible for Finance. The Kisumu County Bursary Fund is established by and derives its authority and accountability from the Kisumu County Education Fund Act (Amendment Act 2016). The Fund is wholly owned by the County Government of Kisumu with its main objective being to recognise and support bright needy students in the County.

Section 116(7) of the Public Finance Management Act, 2012 requires that, at the end of each quarter, the administrator of a County Public Fund prepare financial statements for the fund in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board and submit the same to the County Assembly for considerations.

The report was tabled in this House by the Majority leader Hon. Kenneth Onyango and subsequently, pursuant to the Standing Orders No. 193(5), the Hon. Speaker directed that the reports be committed to the Sectoral Committee on Co-operatives, Finance, Trade and Enterprise Development for legislative processing and reporting.

The committee has herein comprehensively considered the Kisumu County Education Fund Quarterly Report and Financial Statements for the period ended December 31, 2021, and presents this documentation as its committee report on the same.

Committee Mandate

Hon. Speaker, the Sectoral Committee On Co-operatives, Finance, Trade And Enterprise Development is established pursuant to the County Assembly of Kisumu Standing Orders 193 (5) and is mandated to:-

- i). Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- ii). Study the programme and policy objectives of departments and the effectiveness of the implementation;
- iii). Study and review all County legislation referred to it;
- iv). Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- v). Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- vi). To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments); and
- vii). Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Committee Membership

Hon. Speaker, as is currently constituted, the sectoral committee on Co-Operative, Finance, Trade And Enterprise Development is comprised of the following members;

1. Hon. Paul Okiri - Chairperson

2. Hon. Victor Rodgers	-	Vice Chairperson
3. Hon. Sally Okudo	-	Member
4. Hon. Samson Ameso	-	Member
5. Hon. Joachim Oketch	-	Member
6. Hon. Rashid Miruka	-	Member
7. Hon. Steve Owiti	-	Member
8. Hon. Julius Genga	-	Member
9. Hon. John Atieno	-	Member
10. Hon. Kennedy Ageng'o	-	Member
11. Hon. Judith Ogaga	-	Member
12. Hon. Vitalis Otura	-	Member
13. Hon. Florence Olang'o	-	Member
14. Hon. Samuel Dede	-	Member
15. Hon. George Olwal	-	Member

Secretariat

1. Annebelle Wabuge	-	Senior Clerk Assistant
2. Austine Ochieng	-	Committee Clerk
3. Brenda Chasi	-	Clerk Assistant
4. Raphael Juma	-	Researcher
5. Geoffrey Omollo	-	Accountant
6. Zablon Otiende	-	Hansard Reporter
7. Bill Omondi	-	Legal Counsel
8. Kennedy Okise	-	Sergeant-at-Arms

Acknowledgement

Hon. Speaker, it is now my privilege and pleasure on behalf of the Committee to convey my gratitude to all Members of the Committee for their valuable input throughout its proceedings. The Committee equally extends appreciations to its members for taking their time out of their busy schedules to participate robustly during the interrogation and scrutiny of these financial statements.

The Committee also appreciates the support from the offices of the Speaker and Clerk of the County Assembly for providing a conducive atmosphere to prepare this report. To our Clerk and the technical staff who tirelessly worked through to make this exercise a success, I applaud you.

It is now my privilege to table this report before this House for consideration and adoption.

REVIEW OF THE KISUMU COUNTY EDUCATION FUND QUARTELY REPORT AND FINANCIAL STATEMENTS FOR THE PERIOD ENDED DECEMBER 31, 2021

Terms of References of the Committee

Hon. Speaker, in order to comprehensively review the Kisumu County Education Fund Quarterly Report and Financial Statements as committed to the committee, the Committee set out a specific approach in which it clearly spelt out specific terms of reference to guide its operations. The terms of reference with regards to the analysis included but not limited to;

- i. To establish the compliance with Section 116(7) of the Public Finance Management Act 2012, on submission of financial reports for public funds,
- ii. To establish receipts/sources of funds and payments/expenditure for the fund during the Quarter ended December 31,2021
- iii. To establish the budget utilization for the fund during the Quarter ended December 31, 2021
- iv. Identify any significant details or information in the reports that may be of material importance to the House

Legal Framework

Hon. Speaker, the Committee was guided in its work by the following legal instruments:-

1. Chapter 12 of the Constitution of Kenya 2010 on public finance
2. Section 131 of the County Governments Act No.17 of 2012 financial management of County Governments
3. Various sections of the Public Finance Management Act, including but not limited to, Section 116 of the Public Finance Management Act, 2012; which stipulates that:
 - a) The administrator of a county public fund shall—
 - (a) prepare accounts for the fund for each financial year;
 - (b) not later than three months after the end of each financial year, submit financial statements relating to those accounts to the Auditor-General; and
 - (c) Present the financial statements to the County Assembly
4. Assembly Standing Order 193 (5)

The Kisumu County Education Fund, Reports and Financial Statements for the period ended December 31, 2021

Hon. Speaker, in considering the financial statements for the Kisumu County Education Fund for the period ended December 31, 2021, the Committee focused on the following major components of the financial statements for the fund;

- a) Receipts

The fund received funding in the form of Transfers from the County Government.

b) Payments

Payments included the following;

- i). Disbursements
- ii). Fund administration expenses
- iii). General expenses
- c) Surplus/Deficit
- d) Notes to the financial Statements
- e) Supporting schedule to the financial statements
- f) Comparison of Budget and Actual Amounts/Budget Utilization

Statement of receipts and payments

Hon. Speaker, an analysis of the financial statements established that as at the period ended 31st December 2021, the fund had received Kshs. 55,000,000 in form of transfers from the County Government. Being the only receipt for the fund during the quarter, this was therefore the total revenue for the Fund during the period ended December 31, 2021.

The following are the significant payments records that were captured in the documents which the committee scrutinised;

- a) Bursary disbursements of Kshs. 59,656,056.00
- b) Fund administration expenses of Kshs. 577,655.00
- c) General expenses of Kshs. 73,500.00
- d) Summation of the above figures gives an amount of Kshs. 60,307,211.00 as the total expenses/payments.

There was a deficit of Kshs. 5,307,211.00

The table below is a Statement of Receipts and Payments illustrating the same;

Statement for Financial Performance for the Period Ended 31st December 2021

Description	Period ended Dec 2021
	KSHS
Revenue from non-exchange transactions	
Public contributions and donations	0

Transfers from the County Government	55,000,000.00
Fines, penalties and other levies	0
Revenue from exchange transactions	
Interest income	0
Other income	0
	0
Total revenue	55,000,000.00
Expenses	
Disbursements	59,656,056.00
Fund administration expenses	577,655.00
General expenses	73,500.00
Financial costs	0.00
Total expenses	60,307,211.00
Other gains/loses	
Gain/loss on disposal of assets	
Surplus(deficit)for the period	(5,307,211.00)

In addition to the above illustration, the Statement of Cash flows also shows transfers from the County Treasury at Kshs. 55,000,000, Disbursements at Kshs. 59,656,056, Fund administration expenses at Kshs. 577,655, Kshs. 73,500 as general expenses and total payments at Kshs. 60,307,211.00, resulting in a deficit of Kshs. 5,307,211.00.

Statement of Cash flows for the Period Ended 31st Dec 2021.

	Period ended Dec 2021	Prior period audited
	KSHS	KSHS

Cash flows from operating activities		
Receipts		
Public contributions and donations	0.00	0.00
Transfers from the County Government	55,000,000.00	205,000,000
Interest received	0.00	0.00
Receipts from other operating activities	0.00	0.00
Total receipts	55,000,000.00	205,000,000.00
Payments		
Disbursements	59,656,056.00	174,171,290.00
Fund administration expenses	577,655.00	6,150,000.00
General expenses	73,500.00	1,845,237.00
Finance cost		
Total payments	60,307,211.00	182,166,527.00
Net cash flows from operating activities	(5,307,211.00)	22,833,473.00
Cash flows from investing activities		
Purchase of property, plant, equipment and intangible assets	0.00	
Proceeds from sale of property, plant and equipment	0.00	
Proceeds from loan principle repayments	0.00	
Loan disbursements paid out	0.00	
Net cash flows used in investigating activities	0.00	
Cash flows from financing activities		
Proceeds from revolving fund receipts	0.00	

Additional borrowing	0.00	
Repayment of borrowing	0.00	
Net cash flows used in financing activities	0.00	
Net increase/decrease in cash and cash equivalent	(5,307,211.00)	22,833,473

Additional observations from the Statement of Cash flows;

- a) As a result of the deficit, the fund reported a net decrease in its cash and cash equivalents, at Kshs. 5,307,211.00
- b) In comparing the figures with the prior year audited, the committee noted the following variations as tabulated in the table below;

Item	Period ended Dec, 2021 (Kshs.)	Prior Year audited (Kshs.)
Transfers from the County Government	55,000,000.00	205,000,000
Total Receipts	55,000,000.00	205,000,000
Payments		
Disbursements	59,656,056.00	174,171,290
Fund administration expenses	577,655.00	6,150,000
General expenses	73,500	1,845,237
Finance Cost		
Total Payments	60,307,211.00	182,166,527.00
Net Cash flows from operating activities	(5,307,211.00)	22,833,473

Budget Utilisation for the Kisumu County Education Fund for the Quarter ended December, 31 2021

Hon. Speaker, budget utilization is the means by which all planned activities/ objectives will be delivered and responsiveness in the activities will create the outcome for reporting by the end of the implementation period. The statement below illustrates the budget utilization for the fund for the period ended 31st December 2021.

Statement of Comparison of Budget and Actual Amounts for Period Ended 31dec 2021

	Original Budget	Adjustments	Final budget	Actual on comparable basis(Dec)	% utilization
	2021	2021	2021	2021	2021
	A	b	C= a + b	d	E=d/c
Revenue	Kshs	Kshs	Kshs	Kshs	Kshs
Public contributions and donations	0	0	0	0	
Transfers from County Gov't	205,000,000	2,372,011.15	207,372,011	55,000,000.00	27%
Interest Income	0	-	0	0	
Other income	0	-	0	0	
Total Income	205,000,000	2,372,011.15	207,372,011	55,000,000	27%
Expenses					
Disbursement	198,850,000	-	198,850,000	59,656,056.00	
Fund administration expenses	6,150,000	0	6,150,000	577,655.00	9%
General expenses	0	0		73,500.00	0%
Finance cost	0	0		0	
Total expenditure	205,000,000	0	205,000,000	60,307,211.00	29%
Surplus for the period	0	0	205,000,000	(5,307,211.00)	

The following observations can be made from the above table, illustrating the budget utilization of the fund;

- a) That transfers from the County Government to the fund is 27%
- b) Disbursements were utilized at 30%
- c) Fund administration expenses were utilized at 9%
- d) General expenses were utilized at 0% and the total expenditure utilized at 29%.

COMMITTEE FINDINGS

Hon. Speaker, following the foregoing analysis and illustrations from Kisumu County Education Fund reports and financial statements for the period ended 31st December 2021, the committee makes the following findings;

- 1) THAT for the period ended December 31, 2021, the Kisumu County Education fund received funding amounting to Kshs. 55,000,000 from the County Government. This was the only receipt for the fund for the same period.
- 2) THAT there were disbursements amounting to Kshs. 59,656,056.00 during the same period
- 3) THAT an amount of Kshs. 577,655 was spent on the administration expenses. This was basically the administration fees. (See annex 1)
- 4) THAT there were general expenses amounting to Kshs. 73,500. The general expenses were bank charges. (See annex 2)
- 5) THAT in total, bursary disbursements and expenditures amounted to Kshs. 60,307,211
- 6) THAT there was a deficit of Kshs. 5,307,211.00
- 7) Review of the statement of change in the Net Assets as at 31st December, 2021 indicates a balance of Kshs. 410,000,000 and an accumulated surplus of Kshs. 16,852,643.15
- 8) THAT the fund made over-ambitious projections in terms of the total funding they expected to drive its activities thereby realizing a 71% shortfall in the expected funding amount.
- 9) In addition to the above findings, the Committee observed that the Fund submitted the Kisumu County Education Fund Quartely Report and Financial Statements for the period ended December 31, 2021 and yet the same report for the previous quarters are yet to be submitted.
- 10) Audit report on the financial statements for the fund have not been submitted to the County Assembly.

COMMITTEE RECOMMENDATIONS

Hon. Speaker, based on the findings indicated hereabove, the committee makes the following recommendations on the Kisumu County Education Fund Report and Financial Statements for the period ended 31st December, 2021;

- 1) PURSUANT to the Public Finance Management Act, 2012, Section 116(7)(c) which mandates the administrator of a county public fund to submit the financial statements for the fund to the County Assembly, the committee recommends that going forward, all the financial statements related to this fund be submitted to the County Assembly.
- 2) PURSUANT to the Public Finance Management Act, 2012 Section 116(7)(b) which obligates the administrator of a county public fund to submit the financial statements relating to the fund to the Auditor General not later than three months after the end of each financial year, the committee recommends that ALL the financial statements for the fund be submitted to the Auditor General and the reports from the Auditor General subsequently forwarded to the County Assembly.
- 3) THAT the County Executive Committee Member for Finance and Economic Planning in collaboration with the administrator of the fund to furnish this House with a detailed report on the performance of the Kisumu County Education Fund for the period ended December 31, 2021 within 30days upon approval of this report.
- 4) THAT projections in regards to funding for the fund should be realistic. This would improve the absorption rate for the fund. This means that in future, an absorption rate of 29% should not be witnessed in a fund that plays such a crucial role in this County.

CONCLUSION

Hon. Speaker, I call upon Hon. Members to adopt this report and the recommendations herein for implementation to improve our utilization of the Education Fund and drive us to the realization of the vision of the fund. May I call upon Hon. Vitalis Otura to second?

The Temporary Speaker (Hon. Inviolata): Yes Hon. Vitalis Otura.

Hon. Otura: Thank you Madam Speaker, I arise to second the report from the Standing Committee of Finance as was moved by my able Chairperson. This is a report on the consideration of the Kisumu County Education Fund Quarterly Report and Financial Statement for the year ending 31st December, 2021.

Madam Speaker, the Chair has been very explicit on his choice and areas to highlight in this House and I believe that all that we are witnessing here has been generated from the report as was presented by the County Executive. Madam Speaker, I therefore second the report as read by the Chair. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Honourable Members, a report from the Standing Committee of Cooperative, Finance and Enterprise Development on its consideration of the Kisumu County Education Fund Quarterly Report and Financial Statement for the year ending 31st December, 2021 has been moved by the Chairperson, Hon. Paul Okiri, consequently seconded by Hon. Otura I now open this report for debate.

The Temporary Speaker (Hon. Inviolata): Honourable Member, I have open the debate on the report from the Standing Committee of Finance.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Ogutu.

Hon. Ogutu: Thank you Madam Speaker for according me this chance to debate on this report. Please let me add my voice on this report. We have just talked about the Bursaries and Scholarships and as we speak, there is a report in relation to the same. There is a place in this report that caught my attention that is in page six. If the House can go to the page I have just referred to, there is this item known as Bursary Disbursement which is to the tune of Kshs 59,656,056.00.

Madam Speaker and Honourable Members, the second bit of it, we have Fund Administration Expenses which is Kshs 577,655.00. What really perplexed me most is that you can see the Fund Expenses alone is over half a million and yet the beneficiaries who are our students who are supposed to benefit from these bursaries are not doing so. It is my belief that we need to look at things in the mirror and point out issues that we perceive are not right. Madam Speaker, just the other day we touched on the delayance of these bursaries. Again, we have touched on new students streaming into our County who will require these services and the report is here with us because if you interrogate and undertake an in-depth analysis of it, then you will come out with a conclusion that something must be wrong somewhere.

Madam Speaker, as Honourable Members charged to monitor these funds, let us be bold enough and take the bull by its horns. Madam Speaker, it was earlier stated here in this House that, the problem emanates from the Department of Finance and Economic Planning. Madam Speaker, if those allegations are true, that the Department Finance is the bottleneck, then, we should face that Department head-on so that we once and for all find a lasting solution to this problem facing our County. This is because, if we bury our head in the sand like the proverbial ostrich yet things are not moving as expected. Madam Speaker, on the same breadth, us as Honourable Members when we go back to our constituents to solicit for votes we are being asked questions that we don't have answers to and from there, you will be informed that you were accorded time to makes things right and you did not deliver.

Madam, Speaker, as Honourable Members, let us make a decision to salvage this County because we don't have another county to go to, but we have Kisumu County. Once we make a resolve to salvage it, we are going to do so. But, if we decide to bury our heads in the sand, then things are not going to be the same. Madam Speaker, in fact it is at this particular time when Honourable Members when they go seeking for votes from their constituents, they will be expected to respond to issues that they are not supposed to respond to this is because Bursaries and Scholarship has not be disbursed fully to students in secondary schools, universities and other tertiary institutions. Madam Speaker, what are we going to tell our people? Because it is this time that voters are now auditing us, what are we going to tell them? This issues in our rallies has been raised several times

when trying to solicit for votes to bring you back to this Honourable House and it becomes difficult for us to respond to some of these issues.

Madam Speaker, let us make a decision and face where the problem is and let us stop going in circles. Madam Speaker, those are my observations I have noticed from this report. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you.

The Temporary Speaker (Hon. Inviolata): Yes Majority Whip.

Deputy Majority Whip (Hon. Obonyo): Thank you Madam Speaker, I wish to call the mover to reply.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Okiri.

Hon. Okiri: Thank you Madam Speaker. I would like to applaud the Hon. Members for a robust debate. Things to do with Finances are not easy and I would like to thank the Honourable Speaker of this House, the Clerk and the Hon. Members of this Standing Committee for having done such a wonderful job. We had our Terms of Reference that was guiding this Committee. I must say that all the important areas were scrutinized by this House Committee and that is the reason as to why the committee decided that each section pursuant to the provisions of the Finance Management Act 2012 section 166 (7) (c) that the Assembly should be issued with the report after 30 days. Every time this House Committee was submitting and giving reference to the same and it is this House which will have each and every thing to ensure that things are put into order. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. A report from the Standing Committee of Cooperative, Finance and Enterprise Development on its consideration of the Kisumu County Education Fund Quarterly Report and Financial Statement for the period ended 31st December 2021 has been moved by Hon. Okiri, seconded by Hon. Otura and debated by Hon. Members, I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Inviolata): Honourable Members, the report from the Standing Committee of Cooperative, Finance and Enterprise Development on its consideration of the Kisumu County Education Fund Quarterly Report and Financial Statement for the period ended 31st December 2021 has been adopted today 29th March 2022 at 1520 hours. Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Inviolata): There being no any other business to transact, the House stands adjourned to 30th March 2022 at 09.00 a.m.

(House rose at 03.22 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng’ – Hansard Reporter