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SCHEDULE

**THE KAKAMEGA COUNTY HIV, AIDS AND STI
MANAGEMENT BILL, 2020**

A Bill for

AN ACT of the County Assembly of Kakamega County to provide for a framework for the coordination and collaboration in the prevention, control and management of HIV, AIDS and STI, and for connected purposes

ENACTED by the County Assembly of Kakamega, as follows—

PART I—PRELIMINARY

Short title and commencement

1 This Act may be cited as the Kakamega County HIV, AIDS and STI Management Act, 2020 and shall come into operation upon publication

Interpretation

2 In this Act, unless the context otherwise requires—

“acquired immune deficiency syndrome (AIDS)” means a condition characterized by a combination of signs and symptoms, resulting from depletion of the immune system caused by infection with the Human Immunodeficiency Virus (HIV),

“County” means Kakamega County,

“Department” means the department of the County Government responsible for health services,

“Departmental focal points” means the focal points envisaged to be established under section 15,

“Executive Committee Member” means the Executive Committee Member responsible for health services,

“Fund” means the Kakamega County HIV, AIDS and STI Management Fund established under section 20,

“Management” in relation to HIV, AIDS and STI means all activities undertaken in accordance with this Act for the prevention, control, and support of affected and infected persons,

“Human immunodeficiency virus (HIV)” means the virus which causes AIDS,

“STI” means an infectious disease that spreads from one person to another during sexual contact and includes syphilis, trichomoniasis, and HIV infection which are caused by bacteria, parasites or viruses

Object and Purpose of Act

3 (1) The object and purpose of this Act is to provide a framework to—

- (a) promote the realization of rights and fundamental freedoms of persons with HIV, AIDS and STI,
- (b) provide for collaboration and cooperation among various stakeholders and inclusion of the community in HIV, AIDS and STI management in the county,
- (c) promote public awareness concerning the transmission, management and control of HIV, AIDS and STI, and
- (d) provide for mobilization of resources for prevention, management and control of HIV, AIDS and STI

Rights of persons with HIV, AIDS and STI

4 Every person with HIV, AIDS and STI has the right to—

- (a) protection from compulsory HIV and STI testing except as provided under sections 13 and 14 of the HIV and AIDS Prevention and Control Act, 2006,
- (b) confidentiality of information and records relating to his or her condition,
- (c) protection from all forms of discrimination,
- (d) access to HIV, AIDS and STI treatment,
- (e) access to universal safety precautions practices and procedures that prevent HIV and STI transmission, and
- (f) protection against stigmatization

Partnership

5 The county government shall, where applicable, collaborate and cooperate with international, national and county institutions including development partners, National AIDS Control Council and National AIDS and STI Control Program in implementing programs relating to HIV, AIDS and STI to—

- (a) foster integration of HIV, AIDS and STI programs in service delivery to mainstream management of HIV, AIDS and STI in county departments,
- (b) plan for sustainable human resource for HIV services including harmonization of partner recruited staff and capacity building, and

- (c) progressively ensure adequate staffing for HIV, AIDS and STI control programs

Responsibility of County Government on HIV, AIDS and STI control

6 The county executive committee member shall —

- (a) ensure a functional HIV, AIDS and STI control Unit,
- (b) oversee the implementation of HIV, AIDS and STI policies and laws within the county,
- (c) provide and train qualified staff assigned for HIV, AIDS and STI service delivery in every public health facility,
- (d) put mechanisms to ensure integration of HIV, AIDS and STI service delivery to all health service delivery points,
- (e) put in place mechanisms for integration of care for other chronic health conditions arising from HIV, AIDS and STI service delivery,
- (f) ensure availability of essential commodities, drugs and equipment needed for HIV, AIDS and STI control and prevention of mother to child transmission of HIV, AIDS and STI infections, and
- (g) ensure that every county department, institution or agency adopts and implements the HIV, AIDS and STI policy

Responsibility of partners

7 (1) An entity wishing to partner with or collaborate with the county government on HIV, AIDS and STI control shall—

- (a) support measures for the prevention, management and control of HIV, AIDS and STI within the county,
- (b) co-operate with the county government in providing access to information relating to HIV, AIDS and STI control,
- (c) align their activities with county priorities relating to HIV, AIDS and STI control,
- (d) support the implementation of programs relating to HIV, AIDS and STI, and
- (e) promote quality, transparency and accountability in the implementation of the HIV, AIDS and STI programs

(2) Every entity partnering with the county government in the control of HIV, AIDS and STI shall ensure safe working environment including measures to reduce risk of possible infections

PART III—HIV, AIDS AND STI COORDINATION AND COLLABORATION FRAMEWORK

Establishment of the county HIV, AIDS and STI committee

8 (1) There is established a committee known as the county HIV, AIDS and STI Committee responsible to the Executive Committee Member in the performance of its functions

~ (2) The committee consists of—

- (a) the accounting officer of the county department responsible for health services, who shall be the chairperson,
- (b) a representative from the office of the county commissioner,
- (c) the county chief officer responsible for county treasury,
- (d) the county HIV, AIDS and STI control coordinator,
- (e) two experts representing HIV, AIDS and STI control implementing partners and stakeholders,
- (f) a representative of the National Aids Control Council (NACC),
- (g) a representative of the National AIDS and STI's Control Program (NASCOP), and
- (h) three people with HIV and AIDS nominated by community organizations involved in matters relating to HIV, AIDS and STI in the county one each representing—
 - (i) the youth,
 - (ii) persons with disabilities, and
 - (iii) inter-faith organizations

(3) The executive committee member shall make appointments under this section

(4) The persons referred to in sub section 2(i) shall serve for a term of three years and may be considered for re-appointment for one further term

Functions and powers of the county HIV, AIDS and STI committee

9 (1) The functions of the county HIV, AIDS and STI committee shall be to —

- (a) formulate and oversee the implementation of HIV, AIDS and STI programs in the county,
- (b) co-ordinate HIV, AIDS and STI management initiatives among the various county departments, committees and stakeholders,

- (c) collaborate with the national government and other agencies on HIV, AIDS and STI management,
- (d) advise the county government on matters relating to HIV, AIDS and STI control,
- (e) mobilize resources for HIV, AIDS and STI control and prevention,
- (f) receive and review recommendations and reports from the county HIV, AIDS county technical working group and the secretariat established under Section 13,
- (g) direct the preparation of periodic audit reports and review the same, and
- (h) perform any other function in the attainment of the objectives of the Act

Reports by county HIV, AIDS and STI committee

10 (1) The county HIV, AIDS and STI committee shall—

- (a) submit quarterly reports to the county executive committee member, and
- (b) within a period of three months after the end of every financial year prepare and submit to the county assembly a report of its operations through the executive committee member

(2) The reports referred to in sub section (1) shall include—

- (a) financial reports, and
- (b) performance reports

County HIV, AIDS and STI Technical working group

11 (1) There is established, a county HIV, AIDS and STI Technical Working Group

(2) the Technical Working Group shall consist of—

- (a) the County Director responsible for health services, who shall be the chairperson,
- (b) the county HIV, AIDS and STI Control Program coordinator, who shall be the secretary,
- (c) county health records and information officer,
- (d) county medical laboratory services coordinator,
- (e) county pharmacist,

- (f) county community health coordinator,
- (g) county prevention of mother to child transmission of HIV focal person,
- (h) county head of human resource,
- (i) national county director of education,
- (j) national county director of children,
- (k) national county director gender,
- (l) national county director youth,
- (m) a representative of National Aids Control Council,
- (n) a representative of National Aids and STI Control Program,
- (o) a representative of people living with HIV,
- (p) county reproductive health coordinator, and
- (q) a representative of each of HIV, AIDS and STI implementing partners

(3) The Technical Working Group shall have power to co-opt persons with technical skills on a case by case basis

Functions of the County HIV,AIDS and STI Technical working group

12 (1) The County HIV, AIDS and STI Technical Working group shall—

- (a) disseminate information, policies and guidelines on HIV AIDS and STI within the county,
- (b) carry out advocacy for HIV,AIDS and STI control,
- (c) develop, implement and monitor joint work plans on HIV,AIDS and STI control programs,
- (d) provide technical support on implementation of County HIV, AIDS and STI Committee resolutions to the secretariat and sub county teams on HIV, AIDS and STI programs and activities,
- (e) identify, adopt and share best practices in HIV, AIDS and STI programming,
- (f) submit quarterly performance and financial reports to the County HIV AIDS and STI Committee
- (g) conduct resource mobilization for HIV, AIDS and STI control program,

- (h) check and verify annual budget for the HIV,AIDS and STI control program
- (i) receive and review quality control reports from the secretariat,
- (j) generate annual HIV,AIDS and STI research agenda and produce publications, review and implement mechanisms for community follow up and support of people with HIV, AIDS and STI including use of people with HIV, AIDS and STI peer educators, and
- (k) perform any other function that may be assigned by the executive committee member from time to time

Establishment of the secretariat

13 (1) There is established a secretariat which shall be responsible to the County HIV, AIDS and STI committee and the County HIV,AIDS and STI Technical working group in the performance of their respective functions

- (2) The secretariat shall consist of—
 - (a) the county HIV,AIDS and STI Control Program coordinator who shall be the head of the secretariat, and
 - (b) such number of officers as may be determined by the County Executive Committee Member

Functions of the secretariat

14 The secretariat shall—

- (a) prepare and submit quarterly quality control reports to the County HIV, AIDS and STI Technical working group,
- (b) implement resolutions by the County HIV AIDS and STI Committee and the County HIV, AIDS and STI Technical working group,
- (c) generate annual HIV,AIDS and STI research agenda and produce publications,
- (d) prepare an annual budget for the HIV,AIDS and STI control program,
- (e) liaise with the county agencies on matters relating to HIV, AIDS and STI control program,
- (f) implement HIV, AIDS and STI control programs, and
- (g) perform any other functions as assigned by the executive committee member

Departmental focal points

15 (1) The county executive committee member shall designate a focal person in each department for matters relating to HIV, AIDS and STI control program

(2) The focal person shall—

- (a) coordinate the implementation of HIV, AIDS and STI activities in the department, and
- (b) create awareness among officers within the department on matters relating to HIV, AIDS and STI

PART IV—GENERAL PROVISIONS ON HIV, AIDS AND STI CONTROL AND MANAGEMENT

HIV, AIDS and STI control programs

16 (1) In implementing HIV, AIDS and STI control programs, the county government and partners shall adopt the following approaches —

- (a) identification of high risk behaviors lifestyles and activities and develop targeted efficient and cost effective response measures,
- (b) development of prioritized and sustainable responses,
- (c) identification of strategic partners including technical experts and development partners for inclusion in the HIV, AIDS and STI management programs,
- (d) capacity building and awareness creation within the county,
- (e) inter-agency co-operation and community involvement, and
- (f) continuous HIV AIDS and STI incidence monitoring

(2) In addition to the approaches set out under subsection (1), the county government through the structures established under this Act shall put in place measures for—

- (a) reduction of new infections,
- (b) mitigation of adverse effects of HIV, AIDS and STI,
- (c) treatment of tuberculosis and other opportunistic diseases,
- (d) prevention of mother-to-child transmissions,
- (e) promotion of voluntary counseling and testing,
- (f) targeting populations with higher risk of infection,
- (g) initiating special youth targeted programs,

- (h) initiating special gender targeted programs,
- (i) partnering with the responsible agencies in implementation of HIV, AIDS and STI programs, and
- (j) provision of HIV, AIDS and STI management services including—
 - (i) provision of drugs,
 - (ii) provision of condoms,
 - (iii) inculcation of virtues and values, and
 - (iv) other essential services

Involvement of the community in HIV, AIDS and STI management

17 (1) The committees established under this Act shall put in place measures to ensure meaningful participation of the community in the HIV, AIDS and STI control programs

(2) The measures referred to under subsection (1) shall target all sectors of the society including the following—

- (a) public and private schools and learning institutions,
- (b) clinics and health facilities,
- (c) private sector employers,
- (d) faith based organizations,
- (e) public benefit organizations,
- (f) community based organizations, and
- (g) members of the public

Application of national law and policies

18 The committees in consultation with national government agencies shall —

- (a) ensure co-ordination of HIV, AIDS and STI control and prevention programs between the county and national governments,
- (b) subject to Article 191 of the Constitution, ensure the implementation of national government laws and policies relating to HIV, AIDS and STI within the county,
- (c) facilitate the implementation of additional measures to manage HIV, AIDS and STI in the county, and
- (d) ensure full implementation of the provisions of this Act

Conduct of business of committees

19 The conduct of business of the County HIV, AIDS and STI Committee and County Technical Working Group established under this Act, shall be in the manner provided under the Schedule

PART V — ESTABLISHMENT AND ADMINISTRATION OF THE HIV, AIDS AND STI MANAGEMENT FUND

Establishment of the Fund

20 (1) There is established the Kakamega County HIV, AIDS and STI Management Fund to —

- (a) to receive financial resources from the county government and development partners who support the county government on matters of HIV, AIDS and STI management,
- (b) provide for—
 - (i) a common basket fund for HIV, AIDS and STI programs including purchase of commodities in the county,
 - (ii) capacity and technical expertise development for HIV, AIDS and STI in the county, and
 - (iii) efficient access to financial resources for medical supplies and equipping of health facilities, operations and maintenance of infrastructure for HIV, AIDS and STI programs

Advisory committee

21 (1) There is established an Advisory Committee for the Fund consisting of—

- (a) the chief officer for treasury who shall be the chairperson,
- (b) chief officer responsible for service delivery,
- (c) the county attorney
- (d) the county director for health services who shall be the secretary to the committee,
- (e) the county HIV, AIDS and STI coordinator,
- (f) the county director of budget, and
- (g) the Fund Administrator who shall be an *ex-officio* member

(2) The executive committee member shall make appointments under this section

Functions of advisory committee

22 The Advisory Committee shall—

- (a) receive records of all payments made to the Fund,
- (b) ensure that money held in the Fund, including any earnings or accruals is spent only for the purposes for which the Fund is established,
- (c) develop guidelines as to how health facilities, structures established under this Act and persons with HIV, AIDS and STI shall benefit from the Fund,
- (d) periodically review the performance of the Fund,
- (e) advise the county executive committee member on matters pertaining to the Fund,
- (f) develop guidelines for the administration of the Fund,
- (g) prepare and submit quarterly reports to the county HIV, AIDS and STI Committee,
- (h) ensure that the administration of the Fund is in line with financial regulations of the national government and the county government and,
- (i) perform such other functions as the committee may deem necessary within this Act for the proper discharge of its mandate

Fund administrator

23 (1) The executive committee member for finance shall designate a Fund Administrator to administer the Fund

(2) The Fund Administrator shall be the accounting officer of the Fund and shall be responsible for the day-to-day operations of the Fund

Duties of fund administrator

24 The Fund Administrator shall—

- (a) operate a bank account in accordance with the guidelines given by the county treasury,
- (b) submit quarterly returns and reports of the Advisory Committee operations to the executive committee member,
- (c) be the custodian of all Fund assets and documents,
- (d) receive and declare any gifts, donations, sponsorship, grants or endowments made to the Fund to the county treasury and the

Advisory Committee and where applicable deposit to the Fund account within five days from the date of receipt,

- (e) prepare annual estimates and reports to the executive committee member,
- (f) not later than three months after the end of each financial year, cause to be prepared financial statement of the Fund and submit the same to the Auditor General,
- (g) prepare accounts for the Fund for each financial year,
- (h) prepare monthly interim reports to the advisory committee,
- (i) prepare quarterly financial statements for the Fund on financial and non-financial performance of the Fund to the Advisory Committee,
- (j) present quarterly and annual financial statements of the Fund, which shall include gifts, donations, sponsorship, grants or endowments, to the County Assembly,
- (k) submit quarterly reports to the county treasury,
- (l) supervise and manage operations of the Fund,
- (m) ensure adequate budgetary provisions for the Fund,
- (n) ensure the Fund balances are administered in accordance with the provisions of the Public Finance Management Act and that the Fund balances are re-budgeted at the end of the financial year,
- (o) prepare reports of allocations disbursement and expenditure returns to beneficiaries in accordance with Regulation 73 of the County Public Finance Management Regulations, 2015, and
- (p) perform such other duty as the committee may assign him or her from time to time

Receipt of grants, donations and endowments etc

25 Pursuant to sections 6(f), 109 (2) (a) and (b), 116(10) and 139 (1) (b) of the Public Finance and Management Act, 2012 and further guidelines imposed by the county treasury in line with the County Public Finance Management Regulations 2015, the Administrator of the Fund shall receive into the Fund's account grants, donations and endowments

Opening and operating other bank account

26 (1) The Fund Administrator may with the authority of the Advisory Committee and the county treasury open and operate other bank accounts as appropriate for purposes of this Act

(2) The Fund Administrator shall issue guidelines on the operations of any such bank account

Secretariat of the fund

27 (1) The executive committee member shall establish a secretariat for the Fund based at the department of health services

(2) The secretariat shall facilitate the work of the Advisory Committee

PART VI—FINANCIAL PROVISIONS OF THE FUND

Sources of monies for the fund

28 (1) The sources of monies for the Fund shall include—

- (a) such monies as shall be appropriated by the county assembly,
- (b) grants or donations from donors and other agencies,
- (c) all monies lawfully accruing to the Fund, and
- (d) interest accruing from bank deposits in respect of the Fund

(2) Any unused monies at the end of the financial year shall not be paid to the county revenue account but shall be retained in the Fund and carried forward to the next financial year as provided for in section 116(3) of the Public Finance Management Act

(3) Monies retained in the Fund under this section shall not form part of the annual allocation for the Fund

(4) The county government shall provide for and progressively increase the annual allocation to the Fund to ensure sustainability of the Fund

Expenditure of the fund

29 (1) There shall be paid out of the Fund payments in respect of any expenses incurred pursuant to the object for which the Fund is established

(2) All disbursements from the Fund shall be approved by the Advisory Committee

(3) The expenditure incurred on the Fund shall be on the basis of approved budget

(4) The annual administrative expenses deducted from the value of the Fund shall not exceed three per cent of the Fund

Financial year

30 The financial year of the entities established under this Act shall be the period of twelve months ending on the thirtieth June in each year

Annual estimates

31 (1) At least three months before the commencement of each financial year, the Advisory Committee shall cause to be prepared estimates of the revenue and expenditure of the Fund for that year

(2) The annual estimates shall make provision for all the estimated expenditure of the Fund for the financial year concerned and in particular shall provide for the—

- (a) operations of the Fund,
- (b) maintenance of assets of the Fund,
- (c) payment of allowances,
- (d) compensation for claims, and
- (e) such other matters as the Advisory Committee, in consultation with the executive committee member may consider fit

(3) The annual estimates shall be approved by the Advisory Committee before the commencement of the financial year to which they relate and shall be submitted to the executive committee member for approval and after the executive committee member has given his or her approval, the Advisory Committee shall not increase any sum provided in the estimates without the consent of the executive committee member

(4) Expenditure of the Fund shall not be incurred for the purposes of the Fund except with the funds appropriated by the County Assembly

Accounts and audit

32 (1) The Advisory Committee shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the Fund

(2) Within a period of three months after the end of each financial year the executive committee member shall in addition to the requirement of section 23 (f) submit to the Auditor-General the accounts of the Fund in respect of that year together with a statement of —

- (a) income and expenditure of the Fund for that year, and
- (b) the assets and liabilities of the Fund on the last day of that financial year

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(3) The annual accounts of the Fund shall be prepared, audited and reported upon in accordance with the provisions of the Public Audit Act, 2015

Compliance with prescribed accounting standards

33 Accounts for the Fund and the annual financial statements relating to those accounts shall comply with the accounting standards prescribed and published by the Accounting Standards Board from time to time

Winding up of the fund

34 (1) The executive committee member for Finance may wind up the Fund with the approval of the County Assembly

(2) Upon winding up of the Fund as provided under sub-section (1)—

- (a) the Fund Administrator shall ensure payment of any amount remaining in the Fund into the county exchequer account,
- (b) the Executive Committee Member for Finance shall, with the approval of the County Assembly, pay any deficit in the Fund from the exchequer account, and
- (c) all assets of the Fund shall be taken over by the County Government

Procedure for disbursement and accountability

35 (1) Any donation or grant to the Fund shall be utilized in accordance with the agreement or condition upon which the grant or donation is received

(2) The money received by the designated entity health facility or persons with HIV, AIDS or STI may only be used for the intended purpose

Record of disbursements to be kept

36 (1) An accurate record of all disbursements from the Fund Account for financing approved programs shall be kept and updated every month by the Administrator of the Fund

(2) The administrator of the Fund shall submit to the Advisory Committee and executive committee member quarterly and annual reports on all programs approved and financed from the Fund

Reporting

37 (1) The Advisory Committee shall prepare financial and non-financial reports in accordance with the provisions of the Public Finance Management Act, 2012 and as may be prescribed from time

(2) The Advisory Committee shall prepare an annual general performance report of the Fund to be submitted together with the report under sub-section (1)

(3) The reports prepared under this section shall be submitted to the County HIV, AIDS and STI Committee established under section 11, the executive committee member, county treasury and the county assembly

PART VII—MISCELLANEOUS PROVISIONS RELATING TO THE FUND

Offence

38 (1) Any person who misappropriates any funds or assets from the Fund, or assists or causes any person to misappropriate or apply the funds otherwise than in the manner provided for in this Act, commits an offence and shall, upon conviction, be liable to imprisonment for a term not exceeding two years or to a fine not exceeding two million shillings or to both

(2) In addition to the penalty prescribed under sub-section (1) and subject to any other law, the court may order for the recovery of the monies or assets acquired as a result of the commission of the offence thereof

Meetings

39 (1) The Advisory Committee shall meet once in every quarter of the year

(2) Despite sub-subsection (1), the Fund Administrator may request for a special meeting and the chairperson shall convene the meeting

(3) The chairperson of the Advisory Committee shall preside at every meeting and in the absence of the chairperson, the members present shall elect one of the members to preside

(4) The Advisory Committee may invite any person to attend any of its meetings and to participate in its deliberations, but such person shall not have a vote in any decision of the Advisory Committee

(5) The quorum for the meeting shall be four members who must include the Fund Administrator

Allowances for members of the Advisory Committee

40 Members of the Advisory Committee may be paid such allowances as may be determined by the Executive Committee in line with existing guidelines

Rules of procedure

41 The Advisory Committee shall regulate its own procedure

Protection against personal liability

42 No matter or anything done by a member of the Advisory Committee, employee or agent of the Fund shall, if the matter or thing is done in good faith for executing the functions, powers and duties of the Fund, render a member of the Advisory Committee, employee or agent of the Fund personally liable to any action, claim or demand whatsoever

Liability of the fund for damages

43 The provisions of section 40 shall not relieve the Fund of the liability to pay compensation or damages to any person for any injury to the person, the person's property or any of the person's interests caused by the exercise of or any power conferred by this Act

Act to prevail in certain matters

44 This Act shall prevail in the case of any inconsistency between this Act and any other legislation on matters relating to control and management of HIV, AIDS and STI in the County

Right of county to offer services

45 Despite the provisions of this Act the county government shall offer services relating to HIV, AIDS and STI in the County

SCHEDULE

(s 19)

**PROVISIONS AS TO THE CONDUCT OF BUSINESS AND
AFFAIRS OF THE COUNTY HIV/AIDS AND STI COMMITTEE
AND THE COUNTY HIV/AIDS AND STI TECHNICAL WORKING
GROUP**

Convening of meetings

1 The County HIV/AIDS and STI Committee and the County HIV/AIDS and STI Technical working group shall each meet once in every quarter of a financial year

(2) Despite section 1, the chairperson may convene a special sitting

(3) The quorum for the conduct of the business of the County HIV/AIDS and STI Committee and the County HIV/AIDS and STI Technical working group shall be one half of all the members (confirm membership of the committees to come up with a quorum)

(4) The chairperson shall preside at every meeting of the County HIV/AIDS and STI Committee at which he or she is present but, in absence of the chair, the members present shall elect one of their numbers to preside, who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson

(5) Unless a unanimous decision is reached, a decision on any matter before the County HIV/AIDS and STI committee and the County HIV/AIDS and STI Technical working group shall be by a majority of votes of the members present and voting and, in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote

(6) Subject to subparagraph (4), no proceedings of the, County HIV/AIDS and STI Committee shall be invalid by reason only of a vacancy among the members thereof

Disclosure of interest

2 (1) If a member is directly or indirectly interested in any contract, proposed contract or other matter before the County HIV/AIDS and STI Committee and the County HIV/AIDS and STI Technical working group, that member shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter

Provided that, if the majority of the members present are of the opinion that the experience or expertise of such member is vital to the deliberations of the meeting, the County HIV/AIDS and STI committee

and the County HIV/AIDS and STI Technical working group may permit the member to participate in the deliberations subject to such restrictions as it may impose but such member shall not have the right to vote on the matter in question

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made

Minutes

3 The County HIV/AIDS and STI committee and the County HIV/AIDS and STI Technical working group shall cause minutes of all resolutions and proceedings of meetings to be entered in books kept for that purpose

MEMORANDUM OF OBJECTS AND REASONS

The Bill seeks to provide for a framework for the coordination and collaboration in the prevention, control and management of HIV, AIDS and STI, financing and for connected purposes

This Bill is divided into seven parts as follows—

Part I provides for preliminary issues including short title, interpretation, as well as object and purpose of the Bill

Part II provides for the rights of persons living with HIV, AIDS and STI and also provides for the responsibilities of the county government and partners in relation to HIV, AIDS AND STI control and management

Part III provides for HIV, AIDS AND STI coordination and collaboration framework and establishes the county HIV, AIDS and STI Committee, County HIV, AIDS and STI Technical working group and Secretariat

Part IV provides for general provisions on HIV, AIDS and STI management approaches HIV, AIDS and STI control programs and involvement of the community in HIV, AIDS and STI management

Part V establishes the HIV, AIDS AND STI management Fund and provides for the Fund's administration

Part VI provides for financial provisions relating to the Fund including the corresponding reporting and accountability obligations under the Fund

The implementation of the Bill when enacted into law shall occasion additional expenses to the County Revenue Fund for which a budget has been provided for in the government's current budget estimates

LUCAS RADOLI OCHAMI,
Chairperson, Health Committee