

SPECIAL ISSUE

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KAKAMEGA COUNTY BILLS, 2020

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**THE KAKAMEGA COUNTY MATERNAL CHILD HEALTH AND
FAMILY PLANNING (AMENDMENT) BILL, 2020**

A Bill for

**AN ACT of the County Assembly of Kakamega County to amend the
Kakamega County Maternal Child Health and Family Planning
Act, 2017 and for connected purposes**

ENACTED by the County Assembly of Kakamega as follows—

Short Title

1 This Act may be cited as the Kakamega County Maternal Child Health and Family Planning (Amendment) Act, 2020

Amendment of long title of Act No 6 of 2017

2 The Kakamega County Maternal Child Health and Family Planning Act, 2017 in this Act referred to as the “Principal Act”, is amended in the long title by—

deleting the words ‘the administration of stipends allocated by department of Health Services for payment of community health volunteers” appearing immediately after the words “Family Planning Fund ”

Amendment of section 3 of Act No 6 of 2017

3 The Principal Act is amended by deleting section 3(d)

Amendment of section 7 of Act No 6 of 2017

4 The Principal Act is amended by deleting section 7(d)

Amendment of section 8 of Act No 6 of 2017

5 The Principal Act is amended in Section 8—

(a) by deleting subsection (1) (b) and

(b) in subsection (4) by deleting the words “and at least one point five percent of its annual health budget for paying stipends to community health volunteers” appearing immediately after the words “Kakamega County Maternal Child Health and Family Planning Program ”

Amendment of section 9 of Act No 6 of 2017

6 The Principal Act is amended by deleting section 9 (b)

Amendment of section 10 of Act No 6 of 2017

7 The Principal Act is amended in Section 10—

(a) in subsection 2—

- (i) paragraph (a) by inserting the words “who shall be appointed by the governor” appearing immediately after the word ‘management’,
 - (ii) by deleting paragraph (b) and substituting therefor “accounting officer in the county department for health services”,
 - (iii) paragraph (d) by deleting the words “first degree in social sciences from a university” appearing immediately after the words “at least a” and substituting therefor the word ‘diploma in social sciences from an institution’,
 - (iv) paragraph (e) by deleting the words “first degree in a health related field from a university” appearing immediately after the words “at least a” and substituting therefor the word ‘diploma in a health related field from an institution’,
 - (v) paragraph (f) by deleting the words “first degree in a health related field from a university” appearing immediately after the words “at least a” and substituting therefor the word “diploma in a health related field from an institution”, and
 - (vi) paragraph (h) by deleting the words “first degree in health related field from a university” appearing immediately after the words “at least a” and substituting therefor the word “diploma in a health related field from an institution”
- (b) in subsection (3) by deleting “(a)”, and
- (c) in subsection (5) by inserting the words “ (2)(a) and” immediately before the words “subsection”

Amendment of section 11 of Act No 6 of 2017

8 The Principal Act is amended in section 11—

- (a) by deleting subsection (1) (b), and
- (b) in sub-section 1 (i) by deleting the word “may”

Amendment of section 13 of Act No 6 of 2017

9 The Principal Act is amended in Section 13 by deleting “8” and substituting therefor with “10”

Amendment of section 12 of Act No. 6 of 2017

10 The Principal Act is amended in section 12 appearing immediately after section 13 by substituting therefor “12” with “14”

Amendment of section 14 of the Act No 6 of 2017

11 The Principal Act is amended by inserting a new Section 14A as follows—

Duties of the Fund Administrator

12. 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 Management 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 Management 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 Management Committee,
- (i) prepare quarterly financial statements for the Fund on financial and non-financial performance of the Fund to the Management 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, 2012 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

Amendment of section 16 of Act No 6 of 2017

12 Section 16 of the Principal Act is amended—

- (a) in subsection (1)(a)(i) by deleting the word “either” appearing immediately after the words “confirmation from” and substituting therefor the words “the Ward Administrator,”, and
- (b) by deleting subsection (1)(b)(i) and inserting a new paragraph as follows—

“birth certificate, birth notification or a letter of confirmation from a ward administrator, the Chief or assistant Chief identifying the guardian or parent who must have a national identity card and”

Amendment of section 17 of Act No 6 of 2017

13 The Principal Act is amended in section 17 subsection (2) by deleting the word “First” appearing immediately after the words “prescribed in the

Amendment of section 18 of Act No 6 of 2017

14 The Principal Act is amended by deleting section 18 (b)

Amendment of section 21 of Act No 6 of 2017

15 The Principal Act is amended in section 21—

- (a) by deleting section 21(2)(e), and
- (b) in paragraph 21(2)(d) by inserting the word “and” immediately after the word “of the Fund,”

Amendment of section 23 of Act No 6 of 2017

16 The Principal Act is amended in Section 23 by—

- (a) deleting the words “and payment of stipend to community health volunteers” appearing immediately after the words “mothers”, and

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- (b) deleting (,) appearing after the words 'HIV/AIDS' and inserting the word 'and'

Amendment of the schedule of Act No 6 of 2017

17 The Schedule is amended by deleting—

- (a) the word "FIRST" appearing in the title of the schedule, and
(b) "s 14(2))" and substituting therefor "s 17(2))"

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Planning (Amendment) Bill 2020*

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to amend the Kakamega County Maternal Child Health and Family Planning Act, No 6 of 2017 in order to remove provisions for the community health volunteers in the Act and to ensure an effective and efficient framework to support the Kakamega County Maternal Child Health and Family Planning program

The implementation of the Bill when enacted into law shall not occasion additional expenses

LUCAS RADOLI OCHAMI
Chairperson Health Committee