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SUPPLEMENT**

BILLS, 2014

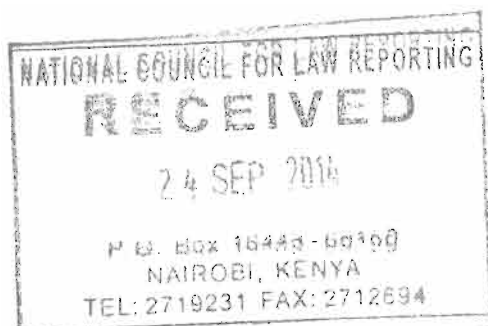
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**THE KISUMU COUNTY ASSEMBLY SERVICE
BILL, 2014**

A Bill for

AN ACT of the County Assembly of Kisumu County to make further provisions for the County Assembly Service Board and the County Assembly Service as established under the County Governments Act, 2012 and for connected purposes.

ENACTED by the County Assembly of Kisumu County, as follows—

PART 1—PRELIMINARY

1. This Act may be cited as the Kisumu County Assembly Service Act, 2014. Short title.

2. In this Act, unless the context otherwise requires— Interpretation

"Assembly" means the County Assembly of Kisumu County;

"Board" means the County Assembly Service Board of Kisumu County established under the County Governments Act;

"Chairperson" includes the vice-chairperson or any other member of the Board when discharging the functions of the Chairperson;

"Clerk" means the Clerk of the Assembly appointed under the County Governments Act, 2012;

"Constitution" means the Constitution of Kenya, 2010;

"County" means the Kisumu County of;

"Code of Conduct" means the code of conduct prescribed under this Act;

"County Assembly Service values" means the values specified in or under section 5;

"office", in relation to the Board, means a paid office as an employee of the Board, not being the office of a member of the Board, or a part-time office, or an office the emoluments of which are payable at an hourly or daily rate;

"Fund" means the Kisumu County Assembly Fund established under section 22.

"officer" or "employee" means any person who holds or acts in any office of the Board otherwise than as a part-time officer or employee;

"revenue fund" means a revenue fund established under Article 207 of the Constitution.

"Secretary" means the secretary to the Board;

"Service" means the County Assembly Service established under section 4;

"services and facilities" includes all means by which members of the Assembly of are officially assisted in performing their legislative duties; and

"Speaker" means the Speaker of the Assembly.

3. Object and purpose of the Act. The object and purpose of this Act is to provide for-

- (a) the execution of the functions of the Board;
- (b) the procedure for the conduct of business and affairs of the Board;
- (c) the establishment of the County Assembly Fund; and
- (d) such other matters as may be necessary for the proper administration of the Service.

PART II—THE COUNTY ASSEMBLY SERVICE

4. (1) The Service shall be an institution of exemplary administrative and technical competence.

County
Assembly
Service

(2) In the performance of their functions, employees of the Service shall not seek or receive directions from any source external to the Service.

(3) Every member of the County Assembly shall respect the non-partisan and apolitical character of the Service, and shall not seek to influence employees of the Service in the discharge of their functions.

5. In addition to the national values and principles of governance set out in Article 10 of the Constitution, and the values and principles of public service set out in Article 232(1) of the Constitution, the Service shall uphold the

Service values

following values—

- (a) the fostering of peace;
- (b) the provision of non-partisan and impartial advice and services to the Assembly, its committees and its members;
- (c) the maintenance of honesty, accountability and integrity in the delivery of services, having regard to the principles of political neutrality, professionalism, economy, efficiency, equality and fairness, courtesy and discipline;
- (d) the provision of a workplace that recognizes the diverse backgrounds of the Service employees and promotes national integration;
- (e) the maintenance of the spirit of co-operation in the workplace based on consultation and communication;
- (f) the provision of a fair, flexible, safe and rewarding workplace;
- (g) the inspiration of public confidence in and respect for the institution of the Assembly;
- (h) the fostering of understanding and co-operation among the Assembly and the County Executive Committee in the context of their autonomy and complementarities; and
- (i) such other values that as the Board may, from time to time, prescribe.

6. (1) The Board may, from time to time, prescribe a Code of Conduct for the Service.

Service Code of
Conduct.

(2) Without prejudice to the provisions of any Code of Conduct prescribed under subsection (1), every employee of the Service shall, in the course of his or her employment—

- (a) be patriotic and loyal to the county government, and at all times conduct themselves in a manner that promotes the image and interests of the country;
- (b) conduct themselves with honesty and integrity and act with care and diligence;
- (c) use the resources of the County Government

conscientiously, and combat corruption and misuse or wastage of public resources;

- (d) respect and observe the law of the land and co-operate with all national and county agencies in the maintenance of law and order;
- (e) treat all persons with respect and courtesy and, in particular, protect persons with disabilities and other vulnerable groups against any form of abuse, harassment or ill-treatment;
- (f) promote gender equality and respect for the rights and freedoms of others;
- (g) comply with any lawful and reasonable direction given by any person in the Service having authority to give such direction;
- (h) maintain appropriate confidentiality about dealings that the employee has with the Assembly, its committees, its members and its staff, including employees of members, if any;
- (i) disclose, and take reasonable steps to avoid, any conflict of interest, real or apparent, in connection with the Service;
- (j) not provide false or misleading information in response to a request for information that is made for official purposes;
- (k) not make improper use of —
 - (i) any information obtained through or in connection with the office of that employee, and which is not yet made available to the public; or
 - (ii) the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for themselves or for anyone else;
- (l) conduct themselves in a manner that upholds the letter and spirit of the values and the integrity and good reputation of the Service;
- (m) while on duty overseas, conduct themselves in a manner that promotes the good image of Kenya and the County Government;
- (n) comply with any other requirements of conduct as

The Kisumu County Assembly Service Bill, 2014

may be prescribed by the Board.

7. Complementarities of values and codes of conduct. The Service values and the Code of Conduct provided for in sections 5 and 6 shall be in addition to, and not in derogation from any others that may be specified by or under any other written law in relation to the citizens of Kenya generally.

**PART III— COUNTY ASSEMBLY SERVICE
ADMINISTRATION**

8. Pursuant to section 12(2) of the County Governments Act, the Board shall, in its corporate name, be capable of—

Board as a body corporate.

- (a) suing, and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) borrowing money or making investments; and
- (d) doing or performing all such other things or acts for the proper performance of its functions under this Act and any written law, which may lawfully be done or performed by a body corporate.

9. (1) Pursuant to section 12(7) (b) of the County Governments Act, the Board shall establish such offices, directorates and departments in the Service as it considers necessary or expedient for the efficient performance of the functions of the Service.

Directorates and departments in the Service

(2) The offices, directorates or departments established under subsection (1) shall be set out in an organizational structure issued by the Board.

(3) The Board may from time to time—

- (a) allocate functions to any directorate or department of the Service;
- (b) make such arrangements as appear to the Board expedient in connection with the creation, division, amalgamation or abolition of any directorate or department of the Service.

(4) The Board may, before reviewing the organizational structure issued under subsection (2), appoint a reputable consultant or human resource firm to advise on the effectiveness and efficiency of the intended review.

10. (1) The Board shall formulate and disseminate to officers of the Service, schemes of service setting out the terms and conditions for the appointment of the officers and other staff of the Service which shall provide for—

Schemes of service

- (a) the appointment and confirmation of appointment of officers and other staff;
- (b) promotions, resignations and termination of appointments;
- (c) secondment of staff and transfer of service;
- (d) the scales of salaries and allowances payable; and
- (e) the designation and grades of officers and other staff.

(2) The Secretary shall be responsible for the administration of the schemes of service for the staff of the County Assembly Service.

11. Notwithstanding the provisions of any other law, the Board —

Social security scheme

- (a) shall establish a contributory pension scheme for all its employees;
- (b) shall determine the rates of contribution to the pension scheme referred to in paragraph (a);
- (c) may establish or adopt a contributory optional superannuation, provident or medical fund or other scheme for its employees, and may grant pensions, gratuities, retiring allowances or sickness or injury benefits to any employee care and in such a manner as to cause as little damage as possible in so doing.

12. (1) The Board shall exercise disciplinary control over the officers of the Service.

Disciplinary control of officers.

(2) The Board may terminate the employment of an employee of the Service in accordance with the provisions of this Act and the regulations made thereunder.

(3) The provisions of Articles 234 (2) (i) and 236 of the Constitution shall apply in relation to the exercise of the powers conferred under this section.

13. (1) For the purposes of discipline and removal of officers and staff of the Service, the Board shall establish a

Staff Advisory Committee.

committee to be known as the Staff Advisory Committee which shall consist of-

- (a) the Clerk as the chairperson;
- (b) the officer in charge of human resource, as the secretary;
- (c) the officer in charge of legal services in the Board; and
- (d) one more officer, appointed by the Board on the recommendation of the Clerk.

(2) The Board may, by resolution, delegate to the Staff Advisory Committee the power—

- (a) of appointment, including acting appointment, promotion and transfer;
- (b) of confirmation in appointment of an employee on probation, or the extension of the probationary period of an employee;
- (c) to terminate the probationary appointment of an employee;
- (d) to retire compulsorily an employee who has reached the retirement age;
- (e) to retire an employee on the ground of ill health;
- (f) to interdict any employee;
- (g) to suspend any employee;
- (h) to stop, withhold or defer normal increment of an employee;
- (i) to stop the pay or salary of an employee;
- (j) to reprimand an employee; and
- (k) to inflict reduction in rank or seniority.

(3) The procedure of the Staff Advisory Committee shall be as prescribed by the Board.

14. (1) The Board may from time to time establish committees as may be necessary for the better carrying out of its functions and the exercise of its powers.

(2) The Board may co-opt into the membership of any of the committees established under subsection (1) any

Committees of
the Board.

person or persons whose knowledge and skills are necessary for the proper performance of the functions of the Board.

(3) A person co-opted under subsection (2) shall have no right to vote at any meeting of the committee.

15. (1) The seal of the Board shall be such device as may be determined by the Board and shall be kept by the Secretary.

Seal of the Board.

(2) The affixing of the seal shall be authenticated by the Secretary.

(3) Any document purporting to be under the seal of the Board or issued on behalf of the Board shall be received in evidence and shall be deemed to be so executed or issued, as the case may be, without further proof, unless the contrary is proved.

16. The conduct of business and affairs of the Board shall be as set out in the First Schedule.

Conduct of business and affairs of the Board.

PART IV — PROVISIONS RELATING TO THE OFFICE OF THE CLERK

17. (1) Pursuant to section 13(3) of the County Governments Act, the Clerk shall be-

Responsibilities of the Clerk.

- (a) the chief executive officer of the Service;
- (b) the accounting officer of the Board;
- (c) the custodian of the Board's records; and
- (d) responsible to the Board for the general working and efficient conduct of business of the Service.

(2) The Board may delegate to the Clerk such of its functions as are necessary to carry out the day to day management of the Service, and subject to such directions as may be given by the Board under the County Governments Act and this Act.

(3) The Clerk may, in consultation with the Board, assign or delegate the functions under this section to any employee of the Service.

18. (1) The procedural functions of the Clerk shall include—

Procedural functions of the Clerk.

- (a) rendering expert, non-partisan and impartial advice to the members of the Assembly on the legislative

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process, and parliamentary procedure and practice;
and

- (b) carrying out such other duties and exercising powers as may be conferred on him or her by law, or by the standing orders and practices of the Assembly.

(2) In carrying out the functions specified in subsection (1), the Clerk shall be assisted by such other officers of the Service as may be necessary.

(3) Subject to the County Governments Act, this Act and any other written law, the Clerk shall, in carrying out and exercising the power conferred on him or her by the standing orders and practices of the Assembly, be under the direction of the Speaker.

(4) At any time when the office of the Speaker is vacant, or the holder of the office is unable, for any reason, to carry out the duties and exercise the powers and functions of his or her office, the Clerk shall, during that period and in relation to the carrying out of the duties and exercise of the powers and functions referred to in this section, be under the direction of the Deputy Speaker.

19. If the office of the Clerk is vacant, or if for any reason the Clerk is unable to exercise the functions of his or her office, any other person for the time being performing the duties of the Clerk pursuant to the standing orders of the Assembly, or by direction of the Speaker, shall have and may exercise all the functions, duties and powers of the Clerk.

Exercise of
functions of the
Clerk during
vacancy or
inability.

20. The Clerk may be suspended or removed from office by the Board for—

Suspension and
removal of the
Clerk.

- (a) inability to perform the functions of the office, whether arising from infirmity of body or mind;
- (b) gross misconduct;
- (c) incompetence;
- (d) bankruptcy;
- (e) violation of the provisions of the Constitution, including Chapter Six of the Constitution;

- (f) violation of the provisions of this Act; or
- (g) any other sufficient cause.

21. (1) Where the Board considers it necessary to remove the Clerk under section 20, the Board shall, in the following sequence—

Procedure for
removal of the
Clerk.

- (a) frame a charge or charges against the Clerk;
- (b) forward the statement of the said charge or charges to the Clerk together with a brief statement of the allegations in support of the charges;
- (c) invite the Clerk to respond to the allegations in writing setting out the grounds on which the Clerk relies to exculpate himself or herself; and
- (d) invite the Clerk to appear before the Board, either personally or with an advocate as he or she may opt, on a day to be specified, to exculpate himself or herself.

(2) If the Clerk does not furnish a reply to the charge or charges within the period specified, or if in the opinion of the Board, the Clerk fails to exculpate himself or herself, the Board shall give notice of a motion seeking that the Assembly revokes the appointment of the Clerk.

(3) A motion under subsection (2) shall specify—

- (a) the grounds set out in section 20 in which the Clerk is in breach; and
- (b) the facts constituting that ground.

(4) Upon notice of the motion under subsection (2), the Speaker of the Assembly shall refer the matter to the liaison committee to investigate the matter within ten days of receipt of the motion.

(5) The liaison committee shall, within ten days, report to the Assembly whether it finds the allegations against the Clerk to be substantiated.

(6) The Clerk shall have the right to appear, and be represented before the liaison committee during its investigations.

(7) The Assembly shall consider the report of the

liaison committee and resolve whether to approve the motion.

(8) If the Assembly approves a motion filed under this section, the Clerk against whom the motion was filed shall be deemed to have been removed from office from the date the motion was approved.

PART V— FINANCIAL PROVISIONS

22. (1) There is established a fund to be known as the Kisumu County Assembly Fund.

County
Assembly Fund.

(2) The Fund shall consist of –

- (a) monies allocated by the County Assembly for the purposes of the Board Service;
- (b) assets that may accrue to the Board in the course of the exercise of its powers, or in the performance of its functions;
- (c) any grants, gifts, donations or bequests; and
- (d) such monies as may be allocated from investment, fees, etc. administered by the Board.

(3) There shall be paid out of the Fund all payments in respect of any expenses incurred in pursuance of the provisions of the County Governments Act and this Act or any other written law.

(4) The earnings of, or accruals to the Fund ~~are~~ shall be retained in the Fund, and spent only for the purposes for which the Fund is established.

(5) Subject to this section and any other law on the regulation of the Fund for the time being in force, the Board shall, by regulations, provide for the management and administration of the Fund.

23. The Board shall, open and operate such bank accounts as may be necessary for the purposes of the Fund.

Bank account.

24. Financial year. The financial year for the purposes of this Act shall be the period of twelve months beginning on the first day of July and ending on the thirtieth day of June in the following year.

License fees.

25. (1) Pursuant to section 12(7) (c) of the County Governments Act, the Clerk shall, at least three months before the commencement of each financial year, cause to

Estimates of
expenditure.

be prepared, estimates of all the expenditure of the Service for that year, and shall present the estimates to the Board for review.

(2) The Board shall review the estimates forwarded under sub-section (1), and may make such alterations thereto as it may consider necessary, and shall thereafter forward them to the Assembly for approval.

(3) The Clerk shall provide the County Treasury with a copy of estimates as reviewed by the Board under subsection (2).

(4) Upon the approval of the estimates by the Assembly, all monies from time to time required for the purposes of this Act, shall be paid from the Revenue Fund into the County Assembly Fund.

26. (1) The Board shall cause to be kept all proper books of accounts of the income, expenditure and assets of the Board.

Accounts and
audit.

(2) Within three months after the end of each financial year, the Secretary to the Board shall-

(a) submit to the Auditor-General the accounts of the Board for the year with copies to the County Treasury and the Controller of Budget; and

(b) publish and publicize the financial statement.

(3) In preparing the financial statement for the County Assembly Fund, the Secretary shall ensure that the report contains information on the financial and non-financial performance of the Fund.

27. (1) Members of the Board shall receive such allowances as may be determined by the Salaries and Remuneration Commission.

Remuneration of
members and
employees of
the Board.

(2) The employees of the Board shall be paid such remuneration and allowances as shall be determined by the Board after consultation with the Salaries and Remuneration Commission.

PART VI—MISCELLANEOUS PROVISIONS

28. (1) Any legal proceedings against the Board shall be commenced in the name of the Board.

Legal
proceedings

(2) Any notice or other processes in respect of legal

proceedings under subsection (1) shall be served upon the Secretary to the Board.

29. Annual report (1) Within three months after the end of each calendar year, the Board shall prepare and lay before the Assembly, a report of its operations during that year.

(2) The annual report shall in respect of the year to which it relates, contain—

- (a) the financial statements of the Board;
- (b) the activities the Board has undertaken;
- (c) an evaluation on the extent to which the values and principles referred to in Articles 10 and 232 of the Constitution are complied with in the Service;
- (d) information relating to performance of the Service and attendant challenges; and
- (e) any other information that the Board may consider relevant.

(3) The Board shall cause the annual report to be published in the County Gazette.

30. A member of the Board, authorized by the Board in that behalf, may

Designated member may present documents, etc.

- (a) lay before the Assembly any document or other matter;
- (b) reply to a question relating to the affairs of the Board

31. (1) The Chairperson, Vice-chairperson and members of the Board shall, before assuming office, take and subscribe to the oath or affirmation of office prescribed in the Second Schedule.

Oath of office for members and staff of the Board.

(2) The Secretary and such other officers of the Board as the Chairperson may require so to do, shall, on first appointment, take an oath in the form prescribed in the Third Schedule.

(3) Where any person required to take an oath has no religious belief or the taking of such oath is contrary to his or her religious belief, he or she may make and subscribe a solemn affirmation in the form of the oath appointed, substituting the words “solemnly and sincerely declare and affirm” for the word “swear” and omitting the words “So

help me God”.

(4) Every oath or affirmation taken by the Chairperson shall be administered by the Secretary and every oath or affirmation taken by any other member or the Secretary shall be administered by the Chairperson.

(5) Every oath or affirmation taken by any other officer shall be administered by the Secretary.

32. Power to order attendance of witnesses. The Board or any committee may, subject to section 33, order any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of that person.

Power to order attendance of witnesses.

33. Every person summoned to attend to give evidence or to produce any paper, book, record or document before the Board or a committee shall be entitled, in respect of that evidence or the disclosure of any communication or the production of any paper, book, record or document to the same right or privilege as before a court of law.

Privileges of witnesses.

34. (1) A member or an officer of the Board or any person employed to take minutes or evidence before the Board or any committee shall not give evidence elsewhere in respect of the contents of those minutes or evidence or of the contents of any document laid before the Board or that committee or in respect of any proceedings or examination held before the Board or that committee without special leave first obtained from the Chairperson.

Evidence of proceedings not to be given without leave

(2) The special leave referred to in subsection (1) may be given by the Vice-chairperson in the absence or other incapacity of the Chairperson.

35. (1) Any act or thing done by any member of the Board or by any officer or servant of the Board shall not, if the act or thing was done in good faith for the purposes of carrying out this Act into effect, subject him or her personally to any liability, action, claim or demand whatsoever.

Protection of members and staff of the Board.

(2) The provisions of subsection (1) shall not relieve the Board of the liability to pay compensation or damages to any person for an injury suffered by them, their property, or any of their interests arising directly or indirectly from the

exercise of any power conferred by this Act.

36. (1) A person shall not in any legal proceedings be permitted or compelled to produce or disclose any communication, written or oral which has taken place between the Board or any member or officer of the Board, in the exercise of, or in connection with the exercise of, the function of the Board unless in accordance with this section.

Communication
of Board
privileged.

(2) Pursuant to Article 24 of the Constitution, the Board may decline to give information to an applicant where —

- (a) the giving of the information requested is prejudicial to national security or the interests of Assembly in the performance of its functions;
- (b) the information requested is at a deliberative stage by the Board;
- (c) there is failure to pay the prescribed fee; or
- (d) the applicant fails to satisfy any confidentiality requirements by the Board.

(3) The right of access to information under Article 35 of the Constitution shall be limited to the nature and extent specified under this section.

(4) Every member and employee of the Board shall sign a confidentiality agreement.

37. (1) Any person who --

Offences and
penalties

- (a) in connection with an application by himself or herself or any other person for employment, appointment or promotion in the Service, or in connection with any matter on which it is the duty of the Board to require information or evidence, or into which it is the duty of the Board to inquire, willfully gives to the Board or to any member thereof any information which is false or misleading in any material particular;
- (b) in a manner contrary to the provisions of this Act, publishes or discloses to any unauthorized person or otherwise than in the course of duty the contents or any part of the contents of any document, communication or information whatsoever which has come to his or her knowledge in the course of

his or her duties under this Act, and any person who knowingly acts in contravention of this paragraph;

- (c) having possession of any information which to his or her knowledge has been published or disclosed in contravention of paragraph (b) of this section, publishes or communicates to any other person otherwise than for the purpose of any prosecution under this Act or in the course of his or her duty any such information;
- (d) otherwise than in the course of duty, directly or indirectly by himself or herself or by any other person in any manner whatsoever unlawfully influences or attempts to influence any decision of the Board or of any member thereof;
- (e) disobeys any order made by the Board or a committee for attendance or for production of papers, books documents or records; or
- (f) refuses to be examined before, or to answer any lawful and relevant question put by the Board or a committee.

commits an offence, and shall be liable on conviction to a fine not exceeding fifty thousand shillings, or to imprisonment for a term not exceeding one year, or to both.

(2) Subsection (1)(d) shall not prohibit any person from giving a certificate or testimonial to any applicant or candidate for the Service or supplying any information or assistance upon formal request made by the Board.

38. (1) The Board may make regulations generally for the better carrying into effect the provisions of this Act.

Regulations

(2) Without prejudice to the generality of subsection (1), regulations under this Act may provide for—

- (a) anything required by this Act to be prescribed;
- (b) the administration and management of the services and facilities;
- (c) the terms and conditions of service, pension and other retirement benefits of employees;
- (d) the measures for the discipline of employees;

- (e) the financial procedures of the Board;
- (f) the orientation and training of members of the Assembly and employees;
- (g) the security of members of the Assembly;
- (h) the handling of the assets and other resources of the Board;
- (i) the delegation of the Board's functions or powers; and
- (j) any other matter required under the Constitution, this Act or any other written law.

39. (1) Where the transfer of any property transferred to or vested in the Board is required by any written law to be registered, the Board shall, within three months from the commencement of this Act or within such other period as the written law may prescribe, apply to the appropriate registering authority for the registration of the transfer and thereupon the registering authority shall, at no cost to the Board or any person by way of registration fees, stamp or other duties—

Transitional provisions regarding transfer of property.

- (a) make such entries in the appropriate register as shall give effect to the transfer;
- (b) where appropriate, issue to the Board a certificate of title or other statutory evidence of ownership of the property or make such amendments on such certificates or in the appropriate register as may be necessary; and
- (c) make any necessary endorsements on such deeds or other documents as may be presented to such registering authority relating to the title, right or obligation concerned.

FIRST SCHEDULE (s. 16)

PROVISIONS AS TO THE CONDUCT OF THE BUSINESS AND AFFAIRS OF THE BOARD

1. The Board shall meet as often as may be necessary for the carrying out of its business but it shall meet at least once every calendar month.
2. A meeting of the Board shall be held on such date

and at such time as the Chairperson shall determine.

3. The Chairperson or in the absence of the Chairperson, the Vice-chairperson, shall, within seven days of receipt of a written application of at least two members, convene a special meeting of the Board.

4. Unless the majority of the total membership of the Board otherwise agree, at least seven days' written notice of every meeting of the Board shall be given to every member of the Board.

5. The quorum for a meeting of the Board shall be two members.

6. The Chairperson shall preside at every meeting of the Board and in the absence of the Chairperson at a meeting, the Vice-chairperson shall preside.

7. The Board shall endeavor to reach every decision by consensus.

8. The Board shall cause minutes of all proceedings of meetings of the Board to be entered in books for that purpose.

9. Except as provided by this Schedule, the Board may regulate its own procedure.

SECOND SCHEDULE (s. 31)

OATH/AFFIRMATION OF OFFICE

Oath Affirmation of Member of the Board

" I having been appointed as Chairman/Vice Chairman/Member of the KISUMU County Assembly Service Board do swear/solemnly and sincerely declare and affirm that I will, without fear or favour, affection or ill-will, discharge the functions of the office of Chairman/Vice-Chairman/Member of the KISUMU County Assembly Service Board, and that I will not, directly or indirectly, reveal any matter relating to such function to any unauthorized persons, or otherwise than in the course of my duty.

SO HELP ME GOD.

Sworn/Declared by the said

before me this.....day of

Chairman/Secretary

County Assembly Service Board

Oath of Confidentiality

I, having been appointed as Chairman/Vice Chairman/Member of the KISUMU County Assembly Service Board do swear/solemnly and sincerely declare and affirm that I will, without fear or favour, affection or ill will, discharge the functions of the office of Chairman/Vice Chairman/Member of the County Assembly Service Board, and that I will not, directly or indirectly, reveal any matter relating to such function to any unauthorized persons, or otherwise than in the course of my duty.

SO HELP ME GOD.

Sworn/Declared by the said

before me this.....day of

Chairman/Secretary

County Assembly Service Board

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to establish a legal framework for the Kisumu County Assembly Service Board which was established by virtue of section 12(1) of the County Governments Act, 2012. This is intended to enhance the independence and autonomy of the Assembly from the County Executive hence improve the oversight role of the Assembly over the Executive.

The Bill proposes relevant provisions regarding the County Assembly Service, and prescribes the values to be adhered to by members of the Service pursuant to the County Governments Act, 2012.

The Bill further seeks to establish the County Assembly Fund to which all monies appropriated for the Assembly will be kept further enhancing the independence of the Assembly.

Part I (clauses 1-3) of the Bill contains preliminary provisions. It names the proposed Act, defines the words and expressions used in the Bill and lists the objects of the proposed Act.

Part II (clauses 4-7) of the Bill provides relevant provisions regarding the County Assembly Service and provides the values to be adhered to by officers of the Service pursuant to the County Governments Act, 2012.

Part III (clauses 8-16) sets out the administrative framework of the County Assembly Service pursuant to section 12 of the County Governments Act, 2012.

Part IV (clauses 17-21) of the Bill provides for the relevant provisions of office of the Clerk

Part V (clauses 22-27) of the Bill sets out the financial provisions. This part establishes the County Assembly fund and provides the manner of operating the accounts of the institute.

Part VI (clauses 28-39) of the Bill contains miscellaneous provisions

This law when enacted will confer on a number of bodies and persons authority to make provisions having the force of law in Kenya in terms of Article 94 (6) of the Constitution of Kenya, 2010.

The enactment of this Bill shall occasion additional expenditure of public funds to be provided through the estimates.

Moses J. O. Ochele,
Chairman, Delegated County Legislation.