

SPECIAL ISSUE

Kenya Gazette Supplement No 3 (Wajir County Bills No 3)



REPUBLIC OF KENYA

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WAJIR COUNTY BILLS, 2019

NAIROBI, 5th April, 2019

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**THE WAJIR COUNTY CLIMATE CHANGE FUND
(AMENDMENT) BILL, 2019**

A Bill for

AN ACT of the County Assembly of Wajir to amend the Wajir County Climate Change Fund Act, 2016 to align itself with the provisions of the Public Finance Management Act, 2012 and for connected purposes

Amendment to part 1 preliminary, section 3

1 The Wajir County Climate Change Fund Act, 2016 in this Act referred to as the “Principal Act” is amended by introducing new headnotes as follows—

Lifespan, Extension and Winding up of Fund immediately after objects and purposes and number them accordingly

Amendment to section 3

2 section 3 of the principal act is amended by introducing a new subsection (3) (2) to read as follows—

3 (2) (a) lifespan of the Fund

The Fund shall run for a period of ten years

(b) Extension of lifespan of the Fund

The authority shall extend the fund lifespan to a period greater than ten years only with the approval of the County Executive Committee and the County Assembly

(c) Winding up

The County Executive Committee Member for the time being responsible for County Treasury shall seek the approval of the County Assembly before winding up

Amendment of section 4 (2) (a) and (b)

3 Section 4 of the principal Act is amended as follows—

(1) Section 4 (2) (a) by replacing 10% with 3%

(2) Section 4 (2) (b) by replacing 20% with 27%

(3) By introducing a new part (4 e) to read—

4 (e) County Executive Committee Member for finance in consultation with County executive committee member for

environmental matters will establish a regulation on procedures to follow for the execution of the Fund

Amendment of section 7

4 Section 7 (1) (a)-(e) of the principal act is amended to read as follows—

- (1) (a) the Chief Officer in charge of environment, appointed by the CEC Environment, who shall be the Chairperson,
 - (b) the Director in charge of Finance and Development Planning,
 - (c) the Director in charge of Environment,
 - (d) the Director in charge of Agriculture Livestock and Fisheries
 - (e) the Director in charge of Public Health,
- (2) by deleting section 7 (2) in its entirety

Amendment to principal act section 9

5 Section 9 of the principal act is amended to read as follows—

- (a) the County Executive Committee Member in charge of finance as chair person,
 - (b) the County Executive Committee Member in charge of environmental matters as the Secretary,
 - (c) the County Chief Officer in charge of public health,
- the County Chief Officer in charge of agriculture, livestock and

Amendment of section 13

6 Section 13 of the principal act is amended to read as follows—

13 The Executive Committee Member shall assign officers in the department of environmental matters to support the Fund Administrator on need basis

- (e) Fisheries,

Amendment of section 17

7 Section 17 of the principal act is amended to read as follows—

The Executive Member in charge of Environment matters shall have the duty of managing the affairs of the Steering Committee including planning for meetings in liaison with the Executive Member in-charge of Finance

Amendment of section 18

8 (1) Section 18 of the principal act is amended by —

- (a) changing subsection (2) (e) to read as follows—

18 (2) (e) The Ward Administrator shall be the Secretary of the Ward Planning Committee

(b) Introducing a new sub-section (4), (5) and (6) immediately after subsection (3)

(4) The community representative shall be elected in Participatory manner

(5) all Ward Climate Change Planning Committee Members shall hold office for a duration of two years renewable for one more term

(6) the Executive Member of Environmental Matters shall give appointment letters to serving members of committees

Amendment of section 19

9 Section 19 (1) (d) and (e) of the principal act is amended to read as follows—

19 (1) The roles of the Ward Planning Committee shall be—

(d) secure experts for the technical components of project proposals,

(e) participate in the procuring goods and services for projects including evaluations, development and tracking of procurement plans for each project,

Amendment of section 27(3)

10 Section 27(3) of the principal act is amended by—

Replacing the word entities with processes

Amendment of section 32(a)

11 Section 32(a) of the principal act is amended by-

32 (a) Allowances of the County Planning committee and the Ward Planning Committees shall be as determined by the Salaries and Remuneration Commission

Amendment of second schedule 2 (a)

12 Second schedule 2 (a) of the principal act is amended by—

deleting the expression printed as “noyice” and replace therefor the word “notice”

MEMORANDUM OF OBJECTS AND REASONS

This Bill proposes to amend the Wajir County Climate Change Fund Act 2016, In order to rectify inconsistencies and difficulties in its implementation. The amendments introduced are intended to accord with the provisions of Public Finance Management Act and the constitution of Kenya 2010.

The Enactment of the Bill, Shall not occasion additional expenditure of Public Funds.

Dated the 10th January 2019

ALINOORI ALI,
*Chairperson, Water Environment, energy and Natural Resources
Committee*