


**REPORT**

 THE NATIONAL ASSEMBLY	
DATE: 04 JUL 2023	
DAY: TUESDAY	
TABLED BY:	Hon. Owen Bayo, MP, Deputy leader, majority party
OF	
CLERK-AT THE-TABLE:	Inzani Mwale -

**THE AUDITOR-GENERAL**

**ON**

**NATIONAL GOVERNMENT  
CONSTITUENCIES DEVELOPMENT  
FUND – BURA CONSTITUENCY**

**FOR THE YEAR ENDED  
30 JUNE, 2022**



OFFICE OF THE AUDITOR GENERAL  
NORTH EASTERN REGIONAL OFFICE  
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**BURA CONSTITUENCY**

**NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND**

**REPORTS AND FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED  
30<sup>th</sup> JUNE 2022**

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**Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)**

***BURA Constituency***  
***National Government Constituencies Development Fund (NGCDF)***  
***Annual Report and Financial Statements for The Year Ended June 30, 2022***

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National Government Constituencies Development Fund (NGCDF)  
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I. Key Constituency Information and Management

**(a) Background information**

The National Government Constituencies Development Fund (NG-CDF) formerly Constituencies Development Fund (CDF), is established under the NG-CDF Act 2015 as amended in 2016. The Act is a successor to the Constituencies Development Fund (CDF) Act of 2003 which initiated the Fund and its subsequent amendments/reviews of 2007 and 2013. At cabinet level, NG-CDF is represented by the Cabinet Secretary for the Treasury, who is responsible for the general policy and strategic direction of the Fund.

**Mandate**

The mandate of the Fund as derived from sec (3) of NG-CDF Act, 2015 is to:

- a) Recognize the constituency as a platform for identification, performance and implementation of national government functions;
- b) Facilitate the performance and implementation of national government functions in all parts of the Republic pursuant to Article 6(3) of the Constitution;
- c) Provide for the participation of the people in the determination and implementation of identified national government development projects at the constituency level pursuant to Article 10(2)(a) of the Constitution;
- d) Promote the national values of human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized pursuant to Article 10 (2) (b) of the Constitution;
- e) Provide for the sustainable development of all parts of the Republic pursuant to Article 10 (2) (d) of the Constitution;
- f) Provide a legislative and policy framework pursuant to Article 21 (2) of the Constitution for the progressive realization of the economic and social rights guaranteed under Article 43 of the Constitution;
- g) Provide mechanisms for the National Assembly to deliberate on and resolve issues of concern to the people as provided for under Article 95 (2) of the Constitution;
- h) provide for a public finance system that promotes an equitable society and in particular expenditure that promotes equitable development of the country by making special provisions for marginalized groups and areas pursuant to Article 201 (b) (iii) of the Constitution;
- i) Authorize withdrawal of money from the Consolidated Fund as provided ' under Article 206 (2) (c) of the Constitution;

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#### **Annual Report and Financial Statements for The Year Ended June 30, 2022**

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- j) Provide mechanisms for the National Assembly to facilitate the involvement of the people in the identification and implementation of projects for funding by the national government at the constituency level; and
- k) Provide for mechanisms for supplementing infrastructure development at the constituency level in matters falling within the functions of the national government at that level in accordance with the Constitution.

#### **Vision**

Equitable Socio-economic development countrywide

#### **Mission**

To provide leadership and policy direction for effective and efficient management of the Fund.

#### **Core Values**

1. **Patriotism** – we uphold the national pride of all Kenyans through our work
2. **Participation of the people**- We involve citizens in making decisions about programmes we fund
3. **Timeliness** – we adhere to prompt delivery of service
4. **Good governance** – we uphold high standards of transparency, accountability, equity, inclusiveness and integrity in the service of the people
5. **Sustainable development** – we promote development activities that meet the needs of the present without compromising the ability of future generations to meet their own needs.

#### **Functions of NG-CDF Committee**

The Functions of the NG-CDF Committee is as outlined in section 11 of The National Government Constituencies Development Fund Regulations, 2016.

#### **(b) Key Management**

The BURA Constituency NGCDF day-to-day management is under the following key organs:

- i. National Government Constituencies Development Fund Board (NGCDFB)
- ii. National Government Constituency Development Fund Committee (NGCDFC)

#### **(c) Fiduciary Management**

The key management personnel who held office during the financial year ended 30<sup>th</sup> June 2022 and who had direct fiduciary responsibility were:

<b>No</b>	<b>Designation</b>	<b>Name</b>
1.	A.I.E holder	<b>Yusuf Dika Wako</b>
2.	Sub-County Accountant	<b>Kimani Geoffrey Njenga</b>
3.	Chairman NGCDFC	<b>Dube Masha Boru</b>

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**(d) Fiduciary Oversight Arrangements**

The Audit and Risk Management Committee (ARMC) of NGCDF Board provide overall fiduciary oversight on the activities of Bura Constituency NGCDF . The reports and recommendation of ARMC when adopted by the NGCDF Board are forwarded to the Constituency Committee for action. Any matters that require policy guidance are forwarded by the Board to the Cabinet Secretary and National Assembly Select Committee.

**(e) Bura Constituency NGCDF**

**Headquarters**

P.O. Box 100-70104  
Bura Tana,  
KENYA.

**(f) Bura Constituency NGCDF**

**Contacts**

Telephone: (254) 703 957 387  
E-mail: [cdfbura@ngcdf.go.ke](mailto:cdfbura@ngcdf.go.ke)  
Website: [www.ngcdf.go.ke](http://www.ngcdf.go.ke)

**(g) Bura Constituency NGCDF**

**Bankers**

Kenya Commercial Bank (Garissa Branch)  
Acc No. 1107773164

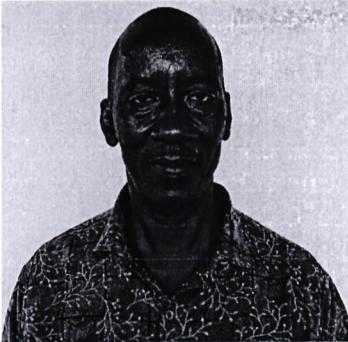
**(h) Independent Auditors**

Auditor General  
Office of the Auditor General  
Anniversary Towers, University Way  
P.O. Box 30084  
GPO 00100  
Nairobi, Kenya

**(i) Principal Legal Adviser**

The Attorney General  
State Law Office  
Harambee Avenue  
P.O. Box 40112  
City Square 00200  
Nairobi, Kenya

**I. NG-CDFC Chairman’s Report**



I would like to extend my gratitude to Bura constituents for giving me the opportunity to serve in my capacity as the chairperson NG-CDFC. Our agenda is enclaved in the slogan “*maendeleo kwa wote*” as we purpose to deliver improved livelihoods through promoting quality education at primary

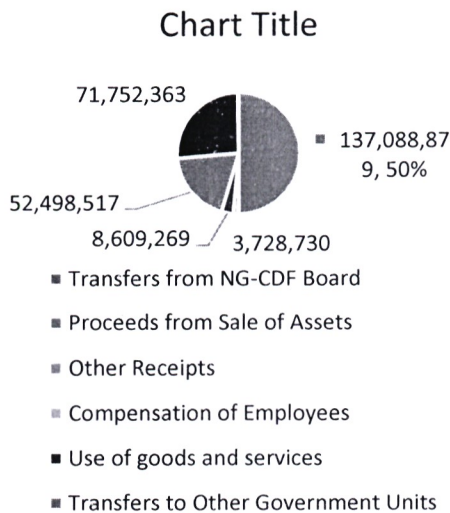
Secondary schools and tertiary institutions. There has also been tremendous increase in bursary allocation, ensuring more students are in schools. We have endeavoured to nature Youth talent by supporting sports through supply of full uniform. The excellent performance can be attributed to

tremendous support from the NG-CDF Board, Member of Parliament and all stakeholders.

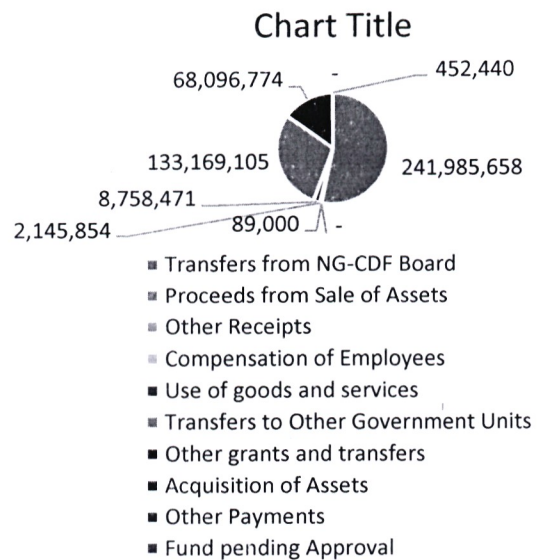
Bura constituency is one of the three constituencies in Tana River county, coast Region. During the financial year 2021-2022 we received Kshs. 182,088,879.00. Our utilization of funds for the financial year stands at 83.5% of the total budget of Kshs. 137,088,879.

The project allocation percentage per sector is as indicated below:-

**ORIGINAL BUDGET ALLOCATION**  
**COMPARISON BASIS**



**ACTUAL BUDGET ON**



**Achievements**

There have been several success stories in this financial year ending June 2022. Project is attributed to the harmonious working relationship amongst the NGCDFC members, staff and technical support from the government officials as well. The synergy has been achieved through continuous training and engagement to promote team work and quality project.

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During the financial year 2021/2022 the Constituency realised tremendous improvement in infrastructure across Education Sector. Twenty (20) new classrooms were constructed and one(1) Administration, four (4) Single Laboratory, Pit Latrines and supply and delivery of several desks. We also responded to a number of Emergency projects.

Below is a sample of projects undertaken during the financial year.



a) Construction of a single laboratory at Charidende Secondary school.





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b) Construction of Mororo's Chief's office.

**Challenges**

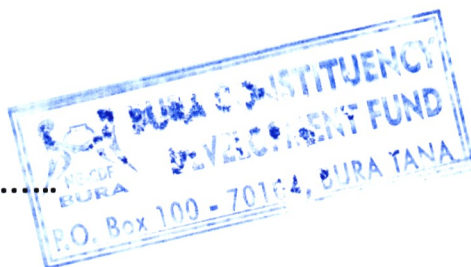
Due to vastness of Bura Constituency, the administration recurrent fund and Monitoring and Evaluation fund was not enough to cover the large geographical area hence the Board should consider allocation of more percentage to the said fund.

**Way forward**

Projects should be funded in full to avoid delays in completion. There has been emerging issues and challenges influencing the implementation of NGCDF Projects all over the constituency. These include;

1. Poor road network within the constituency was a big challenge to the contractors when it came to ferrying building materials to the various sites.
2. Other issues affecting the project implementation process is the slow pace of the Project Management Committees in filing both financial and narrative reports relating to their NGCDF funded projects. This fact emanates mostly from low literacy levels amongst the PMCs.
3. Water availability was also a challenge to both the contractors as well as the community.

.....  
**Name: Dube Masha Boru**  
**CHAIRMAN NGCDF COMMITTEE**



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**II. Statement of Performance against Predetermined Objectives for FY 2021/22**

**Introduction**

Section 81 (2) (f) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting officer when preparing financial statements of each National Government entity in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the national government entity's performance against predetermined objectives.

The key development objectives of *BURA Constituency 2021-2022* plan are to:

**Progress on attainment of Strategic development objectives**

For purposes of implementing and cascading the above development objectives to specific sectors, all the development objectives were made specific, measurable, achievable, realistic and time-bound (SMART) and converted into development outcomes. Attendant indicators were identified for reasons of tracking progress and performance measurement: Below we provide the progress on attaining the stated objectives:

<b>Constituency Program</b>	<b>Objective</b>	<b>Outcome</b>	<b>Indicator</b>	<b>Performance</b>
Education	To have all children of school going age attending school	Increased enrolment in primary schools and improved transition to secondary schools and tertiary institutions	- number of usable physical infrastructure build in primary, secondary, and tertiary institutions - number of bursary beneficiaries at all levels	In FY 21/22 -we constructed 20 No. classrooms, 1 No. Administration Blocks and 4 No. laboratory in schools/institutions - Bursary beneficiaries at all levels
Security	To have a reliable and sustainable security.	Improvement of working stations for the administrative officers in the constituency.	- Number of improved police stations and Chief's offices	- In FY 2021-2022 we managed to construct Chief's offices in the constituency. - Fencing of Bangale police station. - Construction of Charidende police station.
Environment	To ensure environment is conserved in the constituency.	Improve sanitation in learning institutions in the entire constituency.	- Number of toilets in the learning institutions.	In FY 2021-2022 we managed to construct pit latrines in primary & secondary school.

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Sports	To nurture talents of the constituents.	Increase the number of talented youth in the constituency.	- Number of youth benefiting from the sports fund.	In FY 2021-2022 we purchased sports gears for several teams in the constituency.
Emergency	To mitigate risk occurrence in the constituency.	Improvement of structures in learning institution.	- Number of emergency intervention in the Constituency.	In FY 2021-2022 we carried out water trucking to various public primary schools in the Constituency.

#### **IV. Environmental and Sustainability Reporting**

BURA NG-CDF exists to transform lives. This is our purpose; the driving force behind everything we do. It's what guides us to deliver our strategy, which is founded on social sector, namely, Education & Training, Security Sector Support, Environment, and Sports. This pillar also makes special provisions for Kenyans with various disabilities and previously marginalized communities.

##### **1. Sustainability strategy and profile -**

To ensure sustainability of BURA NG CDF, the committee funds the following key sectors with the following sustainable priorities.

- a. **Education and Training:** BURA NG-CDF focus on human capital for constituency development is entrenched in its strategy to support needy and bright students from each ward of the constituency. The intention is to empower the constituents such that in years to come, the beneficiaries at secondary school levels would have transitioned to Tertiary institutions while those at tertiary level would have transitioned to the job market as employees or employers thereby contributing positively to the economic growth of the constituency. This strategy takes care of both marginalised groups including girls and people living with disabilities.
- b. **Security Sector Support:** Among its key pillars; NGCDF has security as a priority area with intention to provide better working environment for the security providers within the constituency as well a secure constituency. The strategy is to have a long-term collaborative working approach that enhances community engagement in security activities. This is aimed at eliminating crime and vices in the long run by providing a better working environment for the law enforcement agencies while collaborating with community in trust on matters of security.
- c. **Environment:** The Constituency acknowledges that all its operation has an impact on environment. Cognizant of the Sustainable development goals, the NG-CDF has allocated part of its budget on environment conservation through activities such as tree planting, water conservation, sensitization forums for agro-forestry as well as best practices to reduce soil erosion.
- d. **Sports:** The NG-CDF has taken sports as a key pillar of cohesion and integration. To sustain this pillar, the strategy taken is that of developing skills through sports with intention of identifying, nurturing talent and encouraging physical fitness among the constituents.

To attain this level of sustainability, we acknowledge challenges currently arising from the effects of Covid- 19 that have adversely affected the sporting activities and thereby limiting the potential benefits envisaged in using sports as development strategy within the constituency. On macro levels

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FY 21/22 has been a challenging year with limited funding towards these activities which may hamper the success of priority strategies undertaken.

**2. Environmental performance**

Protection of the environment in which we live and operate is part of Bura NG-CDF initiatives. Care for the environment is one of our key responsibilities and an important aspect in the way in which we carry out our operations.

**3. Employee welfare**

We invest in providing the best working environment for our employees. BURA constituency recruitment is guided by Employment Act, NGCDF Act and other regulations as issued from time to time. In line with the law and regulations, the Constituency offers equal opportunity to all while adhering to the one third gender rule and special groups. We also Recognize and appreciate of our employees for exemplary performance. The reward and sanctions system is based on performance appraisal.

The constituency promotes a healthy lifestyle and provides all employees with health insurance cover through a reliable insurance Scheme. Employees are encouraged and supported to continually build on their skills and knowledge. BURA constituency invests in capacity building programs for employees. These include courses on technical competencies relevant to each employee and continuous sensitization on cross cutting issues.

The committee has a policy on safety in compliance with Occupational Safety and Health Act of 2007, (OSHA) and has ensured the work environment is conducive for everybody in terms of movement and accessibility within the office. The Constituency has also put in place disaster mitigating measures including fire extinguishers and accessible escape routes in case of emergency.

**4. Market place practices-**

BURA NGCDF Constituency is committed to fair and ethical market practises.

The Procurement of goods and services is done through a transparent and competitive bidding process that allows equal opportunities to all participants. We support local vendors drawn from the constituency for purposes of uplifting them economically. Our ethical market practises ensure the fund get value for money on all goods and services procured.

We are also committed to healthy relations with our suppliers which is enhanced through organized sensitization forums that relate to the procurement legal framework and ethical subject matters. We are dedicated to honouring all contracts and settling payments promptly.

NGCDF has put in efforts to ensure:

- a) Responsible competition practice by encouraging fair competition and zero tolerance to corruption

- b) Good business practice including cordial Supply chain and supplier relations by honouring contracts and respecting payment practices.
- c) Responsible marketing and advertisement
- d) Product stewardship by safeguarding consumer rights and interest

**5. Community Engagements-**

BURA NGCDF has endeavoured to sustain community engagement through CSR as well as appreciating our existence through engaging local contractors and suppliers when necessary. We have also engaged the community through sports and community projects.

**Public Participation in Project Identification and Implementation and Monitoring**

The NG-CDFC deliberated on project proposals from all the wards in the constituency and considered the most beneficial to the constituency, considering the national development plans and policies and the constituency strategic development plan. The identified list of priority projects, both immediate and long term, was submitted to the NG CDF Board in accordance with the Act.

**Public participation** is the process that directly engages the concerned stakeholders in decision-making and gives full consideration to public input in making that decision.

The NG CDFC during bursary programme, engaged the community through the community leaders to identify the needy students to be awarded with the bursary.

**Public Awareness**

This includes mechanisms for participation and cooperation with local, regional and national agencies, and for conducting community-based needs assessments and public awareness campaigns and holding community meetings.

BURA NG-CDF have continually practiced public participation and public awareness during project identification and proposal collections in all the wards in the constituency.



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**Name: Yusuf Dika**

**FAM**



## V. Statement of Management Responsibilities

Section 81 (1) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the accounting officer for a National Government Entity shall prepare financial statements in respect of that entity. Section 81 (3) requires the financial statements so prepared to be in a form that complies with relevant accounting standards as prescribed the Public Sector Accounting Standards Board of Kenya from time to time.

The Accounting Officer in charge of the NGCDF-BURA Constituency is responsible for the preparation and presentation of the entity's financial statements, which give a true and fair view of the state of affairs of the entity for and as at the end of the financial year (period) ended on June 30, 2022. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the entity; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the entity; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Accounting Officer in charge of the NGCDF-BURA Constituency accepts responsibility for the entity's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The Accounting Officer is of the opinion that the *constituency's* financial statements give a true and fair view of the state of entity's transactions during the financial year ended June 30, 2022, and of the entity's financial position as at that date. The Accounting Officer charge of the NGCDF- BURA Constituency further confirms the completeness of the accounting records maintained for the *constituency*, which have been relied upon in the preparation of the entity's financial statements as well as the adequacy of the systems of internal financial control.

The Accounting Officer in charge of the NGCDF BURA Constituency confirms that the *constituency* has complied fully with applicable Government Regulations and the terms of external financing covenants (where applicable), and that the entity's funds received during the year under audit were

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used for the eligible purposes for which they were intended and were properly accounted for. Further the Accounting Officer confirms that the *constituency's* financial statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

**Approval of the financial statements**

The NGCDF- BURA Constituency financial statements were approved and signed by the Accounting Officer on 15/03/ 2023.

.....  
**Name: Dube Masha Boru**  
**Chairman – NGCDF Committee**

.....  
**Name: Yusuf Dika**  
**Finance Account Manager**





# REPUBLIC OF KENYA



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## REPORT OF THE AUDITOR-GENERAL ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND - BURA CONSTITUENCY FOR THE YEAR ENDED 30 JUNE, 2022

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### PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for the intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment and the internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

### REPORT ON THE FINANCIAL STATEMENTS

#### Qualified Opinion

I have audited the accompanying financial statements of National Government Constituencies Development Fund - Bura Constituency set out on pages 1 to 40, which comprise of the statement of financial assets and liabilities as at 30 June, 2022, and the statement of receipts and payments, statement of cash flows and summary statement of

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*Report of the Auditor-General on National Government Constituencies Development Fund - Bura Constituency for the year ended 30 June, 2022*

appropriation for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effect of the matters described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of the National Government Constituencies Development Fund - Bura Constituency as at 30 June, 2022, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the Public Finance Management Act 2012, and the National Government Constituencies Development Fund Act, 2015.

## **Basis for Qualified Opinion**

### **1. Unsupported Bursary Payments**

The statement of receipts and payments reflects other grants and other transfers balance of Kshs.68,096,774 as disclosed in Note 6 to the financial statements. This balance includes bursary payments totalling to Kshs.19,623,400, and comprised of Kshs.8,292,000 to secondary schools and Kshs.11,331,400 to tertiary institutions. However, bursary payments amounting to Kshs.6,933,400 were not supported by acknowledgement letters or official receipts from the beneficiary institutions.

In the circumstances, the accuracy and completeness of bursary payments of Kshs.6,933,400 for the year ended 30 June, 2022 could not be confirmed.

### **2. Unconfirmed Ownership and Value of Fixed Assets**

The summary of fixed asset register at annex 2 in the financial statements reflects fixed assets with a total historical cost of Kshs.25,235,914. However, Management did not provide evidence to confirm that assets whose value may have significantly changed overtime were revalued. In addition, Management did not provide ownership documents for the land disclosed in the financial statements at historical cost of Kshs.3,770,550.

In the circumstances, the ownership of the land of Kshs.3,770,500 and accuracy of the fixed assets balance of Kshs.25,235,914 as at 30 June, 2022 could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the National Government Constituencies Development Fund Management - Bura Constituency Management in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

## **Key Audit Matters**

Key audit matters are those matters which, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

## **Other Matter**

### **1. Budgetary Control and Performance**

The summary statement of appropriation reflects final receipts budget and actual on comparable basis of Kshs.254,763,538 and Kshs.242,074,658 respectively, resulting to an underfunding of Kshs.12,688,880 representing 5%. Similarly, the Fund spent Kshs.212,622,643 against actual receipts of Kshs.242,074,658, resulting to under absorption of Kshs.29,452,015 or 12% of the budget.

The underfunding and under absorption of the budget may have negatively affected implementation of the planned programmes and thus adversely affecting service delivery to the residents of Bura Constituency.

### **2. Delayed Projects Implementation**

Review of the Project Implementation Status report indicated that the Management planned to implement eighty (80) projects at a total cost of Kshs.166,033,382 during the year under review. According to the report, seventy-nine (79) projects were completed. However, one (1) project costing Kshs.2,400,000 was not in use while one (1) project with a budget of Kshs.5,908,922 was on-going even though the project was supposed to be completed by 16 September, 2022. In addition, field inspection carried out on 14 March, 2023 established that the project was on-going although the contractor was not on site. A payment of Kshs.4,038,081 was made to the contractor representing 69% of the total contract sum while the project implementation status indicated that the level of project completion was 60%. Interim certificate of works completed was not provided for audit review.

Failure to complete projects in time may deny the constituents the indented benefits.

### **3. Unresolved Prior Year Matters**

In the audit report of the previous year, several issues were raised. However, the Management had not resolved the issues as at 30 June, 2022. No explanation has been provided by Management for failure to resolve the issues as required by the Public Sector Accounting Standards Board guidelines.

## **REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES**

### **Conclusion**

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the matters described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources section of my report, I confirm that, nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

### **Basis for Conclusion**

#### **1. Lack of Constituency Oversight Committee**

Review of records revealed that Management had not established a Constituency Oversight Fund Committee as required by Section 53(1) of the National Government

Constituencies Development Fund Act, 2015, which provides that there is established a Constituency Oversight Committee for projects undertaken under this Act.

In the circumstances, Management was in breach of the law.

## **2. Lack of Project Management Committee (PMC) Work Plans, Records and Handover Reports**

During the year under review, the Management did not provide for audit review project management committee records including procurement plans and handover reports to the Constituency Development Committee for the completed projects implemented at a total cost of Kshs.9,474,830. This is contrary to Regulation 15(4b) which requires a PMC to prepare work plans showing how it intends to utilize the funds given to it for implementing the project and Regulation 15(2) which requires a PMC to prepare and submit handover reports to a Constituency Committee.

In addition, PMC bank statements for the bank account balances of Kshs.13,414,346 as disclosed at Annex 3 of the financial statements were not provided for audit review.

In the circumstances, the Management was in breach of the law.

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

## **REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE**

### **Conclusion**

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, except for the matter described in the Basis for Conclusion on Effectiveness of Internal Controls, Risk Management and Governance section of my report, I confirm that, nothing else has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

### **Basis for Conclusion**

#### **Incomplete Fixed Assets Register**

The summary of fixed asset register at annex 2 of the financial statements reflects fixed assets with a total historical cost of Kshs.25,235,914 as at 30 June, 2022. However, review of the maintained asset register revealed that it lacked key information relating to the assets including accumulated depreciation and net book value.

In the circumstances, it was not possible to confirm existence of effective internal controls on fixed assets.

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and overall governance were

operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

### **Responsibilities of Management and those Charged with Governance**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal controls, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Fund's ability to continue to sustain its services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Fund or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the Fund's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

### **Auditor-General's Responsibilities for the Audit**

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in

an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and overall governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts which would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the Fund's policies and procedures may deteriorate.


As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions which may cast significant doubt on the Fund's ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Fund to cease to continue sustain its services.
- Evaluate the overall presentation, structure, and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Fund to express an opinion on the financial statements.

- Perform such other procedures, as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.

  
CPA Nancy Gathungu, CBS  
AUDITOR-GENERAL

Nairobi

19 May, 2023

**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

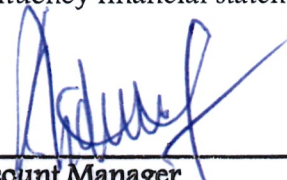
**Annual Report and Financial Statements for The Year Ended June 30, 2022**

**III. Statement of Receipts and Payments for the Year Ended 30th June 2022**


	Note	2021-2022 Kshs	2020-2021 Kshs
<b>RECEIPTS</b>			
Transfers from NGCDF Board	1	182,088,879	151,267,724
Other Receipts	2	89,000	75,000
<b>TOTAL RECEIPTS</b>		<b>182,177,879</b>	<b>151,342,724</b>
<b>PAYMENTS</b>			
Compensation of employees	3	2,145,854	2,130,226
Use of goods and services	4	8,758,471	11,620,400
Transfers to Other Government Units	5	133,169,105	67,053,239
Other grants and transfers	6	68,096,774	62,421,723
Acquisition of Assets	7	-	348,000
Other Payments	8	452,440	290,000
<b>TOTAL PAYMENTS</b>		<b>212,622,643</b>	<b>143,863,588</b>
<b>SURPLUS/DEFICIT</b>		<b>(30,444,764)</b>	<b>7,479,136</b>

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements.

The Constituency financial statements were approved on 15/03/2023 and signed by:

  
Fund Account Manager

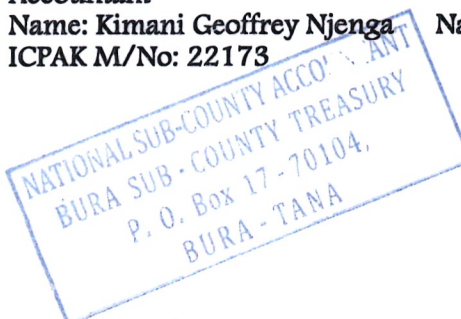
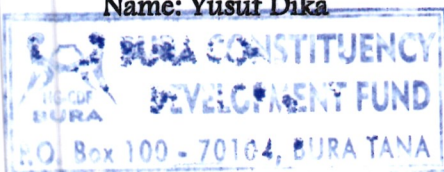
Name: Yusuf Dika

  
National Sub-County  
Accountant

Name: Kimani Geoffrey Njenga  
ICPAK M/No: 22173

  
Chairman NG-CDF Committee

Name: Dube Masha Boru





**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

**Annual Report and Financial Statements for The Year Ended June 30, 2022**

**IV. Statement of Assets and Liabilities As At 30<sup>th</sup> June, 2022**

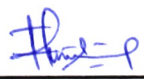
	Note	2021-2022	2020-2021
		Kshs	Kshs
<b>FINANCIAL ASSETS</b>			
<b>Cash and Cash Equivalents</b>			
Bank Balances ( as per the cash book)	9	29,452,015	59,896,779
Cash Balances (cash at hand)		-	-
<b>Total Cash and Cash Equivalents</b>		<b>29,452,015</b>	<b>59,896,779</b>
<b>Accounts Receivable</b>			
Outstanding Imprests		-	-
<b>TOTAL FINANCIAL ASSETS</b>		<b>29,452,015</b>	<b>59,896,779</b>
<b>FINANCIAL LIABILITIES</b>			
<b>Accounts Payable (Deposits)</b>			
Retention		-	-
Gratuity		-	-
<b>NET FINANCIAL ASSETS</b>		<b>29,452,015</b>	<b>59,896,779</b>
<b>REPRESENTED BY</b>			
Fund balance b/fwd 1st July...	10	59,896,779	52,417,643
Prior year adjustments		-	-
Surplus/Deficit for the year		(30,444,764)	7,479,136
<b>NET FINANCIAL POSITION</b>		<b>29,452,015</b>	<b>59,896,779</b>

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements.

The Constituency financial statements were approved on 15/03/2023 and signed by:

  
Fund Account Manager

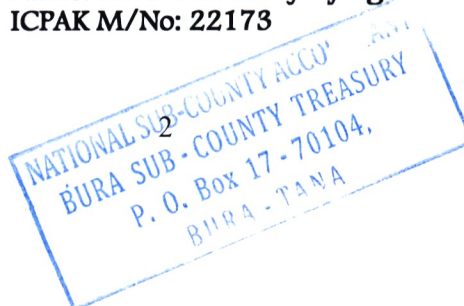
Name: Yusuf Dika

  
National Sub-County Accountant

Name: Kimani Geoffrey Njenga  
ICPAK M/No: 22173

  
Chairman NG-CDF Committee

Name: Dube Masha Boru



**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**  
**V. Statement of Cash Flows for the Year Ended 30th June 2022**

		2021-2022	2020-2021
		Kshs	Kshs
<b>Receipts from operating activities</b>			
Transfers from NGCDF Board	1	182,088,879	151,267,724
Other Receipts	2	89,000	75,000
		<b>182,177,879</b>	<b>151,342,724</b>
<b>Payments for operating activities</b>			
Compensation of Employees	3	2,145,854	2,130,226
Use of goods and services	4	8,758,471	11,620,400
Transfers to Other Government Units	5	133,169,105	67,053,239
Other grants and transfers	6	68,096,774	62,421,723
Other Payments	7	452,440	290,000
<b>Adjusted for:</b>			
Decrease/(Increase) in Accounts receivable		-	-
Increase/(Decrease) in Accounts Payable		-	-
Prior year Adjustments		-	-
Net Adjustments		-	-
Net cash flow from operating activities		(30,444,764)	7,827,136
<b>CASHFLOW FROM INVESTING ACTIVITIES</b>			
Proceeds from Sale of Assets		-	-
Acquisition of Assets	7	-	(348,000)
Net cash flows from Investing Activities		-	(348,000)

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

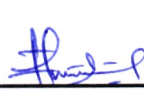
NET INCREASE IN CASH AND CASH EQUIVALENT		(30,444,764)	7,479,136
Cash and cash equivalent at BEGINNING of the year	10	59,896,779	52,417,643
Cash and cash equivalent at END of the year		29,452,015	59,896,779

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements.

The Constituency financial statements were approved on 15/03/2023 and signed by:

  
Fund Account Manager

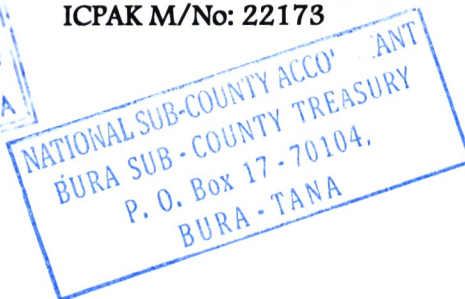
Name: Yusuf Dika

  
National Sub-County  
Accountant

Name: Kimani Geoffrey Njenga  
ICPAK M/No: 22173

  
Chairman NG-CDF Committee

Name: Dube Masha Boru



**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

**Annual Report and Financial Statements for The Year Ended June 30, 2022**

**VI. Summary Statement of Appropriation for the Year Ended 30<sup>th</sup> June 2022**

Receipt/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation
	a	b	c=a+b	d	e=c-d	f=d/c %
<b>RECEIPTS</b>		<b>Previous years Outstanding Disbursements</b>				
Transfers from NG-CDF Board	137,088,879	57,688,879	254,674,538	241,985,658	12,688,880	95%
Proceeds from Sale of Assets			-	-	-	0.0%
Other Receipts			89,000	89,000		0.0%
<b>TOTAL RECEIPTS</b>	<b>137,088,879</b>	<b>57,688,879</b>	<b>254,763,538</b>	<b>242,074,658</b>	<b>12,688,880</b>	<b>95%</b>
<b>PAYMENTS</b>						
Compensation of Employees	3,728,730		4,652,450	2,145,854	2,506,596	46.1%
Use of goods and services	8,609,269		9,671,469	8,758,471	912,998	90.6%
Transfers to Other Government Units	52,498,517	55,790,651	166,125,028	133,169,105	32,955,923	80.2%
Other grants and transfers	71,752,363	1,898,227	73,650,590	68,096,774	5,553,817	92.5%
Acquisition of Assets			-	-	-	0.0%
Other Payments	500,000		500,000	452,440	47,560	90.5%
Fund pending Approval-AIA			164,000		164,000	0.0%
<b>TOTAL</b>	<b>137,088,879</b>	<b>57,688,878</b>	<b>254,763,538</b>	<b>212,622,643</b>	<b>42,140,895</b>	<b>83.5%</b>

*\*\*Funds pending approval are sums not yet approved by the board for utilisation and include approved allocations and/or AIA not yet allocated for specific projects.*

*Explanatory Notes .*

*(a) [For the revenue items, indicate whether they form part of the AIA by inserting the "AIA" alongside the revenue category.]*

*(b) [Provide below a commentary on significant underutilization (below 90% of utilization) and any overutilization (above 100%)*

- I. The underutilization of 46.1% of employee compensation was brought about by the remaining staff salaries and gratuity funds in the account.*
- II. The underutilization of 80% of transfer to other government units was brought about by delay of funds by the NG-CDF Board.*

**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

**Annual Report and Financial Statements for The Year Ended June 30, 2022**

*(Explain whether the changes between the original and final budget are as a result of reallocations within the budget or other causes as per IPSAS 1.9.23.) The actual on a comparable basis in the Summary Statement of Appropriation: Recurrent and Development Combined should agree to the amounts reported in the Statement of Receipts and Payments.*

<b>Reconciliation of Summary Statement of Appropriation to Statement of Assets and Liabilities</b>	
<b>Description</b>	<b>Amount kshs</b>
Budget utilisation difference totals	42,140,895
Less undisbursed funds receivable from the Board as at 30th June 2022	12,688,880
Add Accounts payable	29,452,015
Less Accounts Receivable	0
Add/ Less Prior Year Adjustments	0
Cash and Cash Equivalents at the end of the FY 2021/2022	29,452,015

The Constituency financial statements were approved on 15/03/2023 and signed by:



**Fund Account Manager**

**Name: Yusuf Dika**

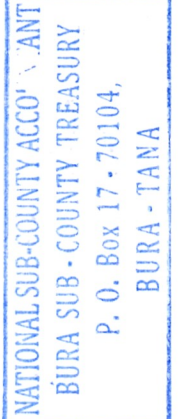




**National Sub-County  
Accountant**

**Name: Kimani Geoffrey Njenga**

**ICPAK M/No: 22173**



**Chairman NGCDF Committee**

**Name: Dube Masha Boru**

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**  
**X. Budget Execution by Sectors and Projects for the Year Ended 30<sup>th</sup> June 2022**

Programme/Sub-programme	Original Budget(a)	Adjustments(b)		Final Budget c = (a+b)	Actual on comparable basis(d)	Budget utilization difference(e = c-d)	% of Utilisa tion(f =d/c %)
	2021/2022	Opening Balance (C/Bk) and AIA	Previous years Outstanding Disbursements	2021/2022	30/06/2022	Kshs	
	Kshs		Kshs	Kshs	Kshs	Kshs	
<b>1.0 Administration and Recurrent</b>							
1.1 Compensation of employees	3,728,730	923,720.77		4,652,451	2,145,854	2,506,597	
1.2 Committee allowances	1,548,000			1,548,000		1,548,000	
1.3 Use of goods and services	2,948,603	1,000,000.00		3,948,603	8,000,000	(4,051,397)	
<b>Total</b>	<b>8,225,333</b>	<b>1,923,721</b>	<b>-</b>	<b>10,149,054</b>		<b>3,200</b>	
<b>2.0 Monitoring and evaluation</b>							
2.1 Capacity building	1,600,000			1,600,000		1,600,000	
2.2 Committee allowances	1,782,000			1,782,000		1,782,000	
2.3 Use of goods and services	730,666	62,200.00		792,866	758,471	34,395	
<b>Total</b>	<b>4,112,666</b>	<b>62,200</b>	<b>-</b>	<b>4,174,866</b>		<b>3,416,395</b>	
<b>3.0 Emergency</b>							

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

3.1 Primary Schools	7,192,207			7,192,207	7,200,000	(7,793)
3.2 Secondary schools				-		-
3.3 Tertiary institutions				-		-
3.4 Security projects				-		-
3.5 Unutilised				-		-
<b>Total</b>	<b>7,192,207</b>	<b>-</b>		<b>7,192,207</b>	<b>7,200,000</b>	<b>(7,793)</b>
<b>4.0 Bursary and Social Security</b>						
4.1 Secondary Schools	23,490,554			23,490,554	8,292,000	15,198,554
4.2 Tertiary Institutions	22,990,554			22,990,554	11,331,400	11,659,154
4.3 Social Security				-		-
4.4 Special Needs				-		-
<b>Total</b>	<b>46,481,108</b>	<b>-</b>		<b>46,481,108</b>	<b>19,623,400</b>	<b>26,857,708</b>
<b>5.0 Sports</b>						
5.1 Constituency Sports	2,741,778			2,741,778	2,730,000	11,778
<b>Total</b>	<b>2,741,778</b>			<b>2,741,778</b>	<b>2,730,000</b>	<b>11,778</b>
<b>6.0 Environment</b>						
6.1 Bilbil Primary School	500,000			500,000	452,440.00	47,560

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**

6.2 Godia Primary School	1,000,000			1,000,000	947,440.00	52,560	
6.3 Hamaresa Primary School	500,000			500,000	452,440.00	47,560	
6.4 Mororo Secondary School	500,000			500,000	452,440.00	47,560	
Bulasukele Primary School				-	468,775.00	(468,775)	
Dida Primary School				-	468,775.00	(468,775)	
Koti Primary School				-	968,775.00	(968,775)	
Abagala Secondary School				-	468,775.00	(468,775)	
Fayya Girls Secondary School				-	241,777.58	(241,778)	
				-		-	
Ruwane Suppliers Limited				-	916,914.00	(916,914)	
Commissioner of VAT				-	16,086.00	(16,086)	
				-		-	
<b>Total</b>	<b>2,500,000</b>	<b>-</b>	<b>-</b>	<b>2,500,000</b>	<b>5,854,638</b>	<b>(3,354,638)</b>	
<b>7.0 Primary Schools Projects</b>							
7.1 Bangale Primary School	2,000,000.00			2,000,000	2,000,000	-	
7.2 Bangale Primary School	5,710,710.16			5,710,710	5,585,230	125,480	
7.3 Birole Primary School	2,400,000			2,400,000	2,337,280.00	62,720	



**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

7.4 Birole Primary School	500,000			500,000	500,000.00	-
7.5 Boji Primary School	7,058,688			7,058,688	6,933,208.16	125,480
7.6 Bula Sukele Primary School	2,400,000			2,400,000	2,337,280.00	62,720
7.7 Bula Sukele Primary School	500,000			500,000	500,000.00	-
7.8 Bulagosta Primary School	2,400,000			2,400,000	2,337,280.00	62,720
7.9 Bulagosta Primary School	500,000			500,000	500,000.00	-
7.91 Lagbadana Primary School	2,400,000			2,400,000	2,337,280.00	62,720
7.93 Lagbadana Primary School	500,000			500,000	500,000.00	-
7.92 Mororo Primary School	2,100,000			2,100,000	2,100,000.00	-
7.93 Bura Desk Project			4,000,000.00	4,000,000	4,000,000	-
7.94 Elrar Primary School			2,368,775.00	2,368,775		2,368,775
7.95 Gale Primary School			2,368,775.00	2,368,775		2,368,775
7.96 Koti Primary School			5,979,225.00	5,979,225		5,979,225
7.97 Mororo Primary school			7,479,225.00	7,479,225		7,479,225
7.98 Shikaadabu Primary School			3,179,225.00	3,179,225		3,179,225
7.99 Sombo Primary School			2,368,775.00	2,368,775		2,368,775
8.00 Take Primary School			2,368,775.00	2,368,775		2,368,775

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**

8.01 Taleo Primary School	2,368,775.00		2,368,775		2,368,775	
8.02 Walesorea Primary School	1,479,225.00		1,479,225		1,479,225	
8.03 Walestokocha Primary School	2,368,775.00		2,368,775		2,368,775	
8.04 Baleneka Primary School	2,368,775.00		2,368,775		2,368,775	
8.05 Bulasukele Primary School	3,568,775.00		3,568,775		3,568,775	
			-		-	
8.06 Adele Primary School		500,000.00	500,000	500,000.00	500,000.00	-
8.07 Wolestokocha Primary School		250,000.00	250,000	250,000.00	250,000.00	-
8.08 Take Primary School		250,000.00	250,000	250,000.00	250,000.00	-
8.09 Subukia Primary School		500,000.00	500,000	500,000.00	500,000.00	-
9.01 Bangale Primary School		500,000.00	500,000	500,000.00	500,000.00	-
9.02 Basahargesa Primary School		500,000.00	500,000	500,000.00	500,000.00	-
9.03 Dida Primary School		250,000.00	250,000	250,000.00	250,000.00	-
9.04 Wolesorea Primary School		250,000.00	250,000	250,000.00	250,000.00	-
9.05 Bularig Primary School		500,000.00	500,000	500,000.00	500,000.00	-
9.06 Mororo Primary School		250,000.00	250,000	250,000.00	250,000.00	-
9.07 Tula Primary School		250,000.00	250,000	250,000.00	250,000.00	-
			-		-	

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
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9.08 Elrar Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
9.09 Gale Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.00 Kofi Primary School		6,000,000.00	6,000,000	5,979,225.00	20,775
10.01 Mororo Primary School		7,500,000.00	7,500,000	7,479,225.00	20,775
10.02 Shikaadabu Primary School		3,200,000.00	3,200,000	3,179,225.00	20,775
10.03 Sombo Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.04 Take Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.05 Taleo Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.06 Walesorea Primary School		1,500,000.00	1,500,000	1,479,225.00	20,775
10.07 Walestokocha Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.08 Baleneka Primary School		2,400,000.00	2,400,000	2,368,775.00	31,225
10.09 Bula Sukele Primary School		3,600,000.00	3,600,000	3,568,775.00	31,225
Yusuf Dika c/o Ali Dhidha		-	-	124,900.00	(124,900)
Yusuf Dika c/o Ali Dhidha		-	-	575,920.00	(575,920)
Yusuf Dika c/o Ali Dhidha		-	-	370,000.00	(370,000)
Yusuf Dika c/o Ali Dhidha		-	-	480,000.00	(480,000)
Bula Sukele Primary School		-	-	452,440.00	(452,440)

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
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Boji Primary School									452,440.00	(452,440)
Huruma Primary School-Fence									6,025,635.60	(6,025,636)
Huruma Primary School									452,440.00	(452,440)
<b>Total</b>									<b>83,168,434</b>	<b>30,168,064</b>
<b>8.0 Secondary Schools Projects</b>										
8.1 Huruma Secondary School	5,880,534.16							5,880,534	5,775,054.16	105,480
8.2 Madogo Secondary School	7,225,032.16							7,225,032	7,099,552	125,480
8.3 Fayya Girls Secondary School	2,006,130.00							2,006,130		
8.4 Fayya Girls Secondary School	3,775,568.28							3,775,568	3775568.28	
8.5 Mororo Secondary School	5,141,853.76							5,141,854	6,495,598.76	(1,353,745)
8.6 Abagala Secondary School									2,368,775.00	
8.7 Charidende Secondary School									3,468,775.00	
8.8 Kora Secondary School									3,468,775.00	
8.9 Fayya Girls Secondary School									1,168,775.00	
8.9I Fayya Girls Secondary School									591,206.20	

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
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8.92 Fayya Girls Secondary School		2,479,341.20		2,479,341	2,479,341.20	-
8.93 Charidende Secondary School		968,775.00		968,775	968,775.00	-
8.94 Fayya Girls Secondary School			2,510,566.20	2,510,566		2,510,566
8.95 Charidende Secondary School			1,000,000.00	1,000,000		1,000,000
8.96 Fayya Girls Secondary School			591,206.20	591,206		591,206
8.97 Singwaya Secondary School			2,000,000.00	2,000,000		2,000,000
8.98 Mororo Secondary School		1,054,337.00	288,879.21	1,343,216	717,570.00	625,646
8.99 Fayya Boys Secondary School				-	2,368,775.00	(2,368,775)
8.991 Fayya Boys Secondary School				-	468,775.00	(468,775)
				-		
				-		
				-		
				-		
<b>Total</b>	<b>24,029,118</b>	<b>15,568,759</b>	<b>6,390,652</b>	<b>45,988,529</b>	<b>43,221,446</b>	<b>2,767,084</b>
<b>9.0 Tertiary institutions Projects</b>						
Fayya Technical Vocational			6,800,000	6,800,000	6,779,225.00	20,775

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
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<b>Total</b>	-	-	<b>6,800,000</b>	<b>6,800,000</b>	<b>6,779,225</b>	<b>20,775</b>
<b>10.0 Security Projects</b>						
10.1 Areri Chiefs office	2,435,963.40		2,435,963		2,373,403	62,560
10.2 Charidende Police Station	5,908,923		5,908,923		5,816,362.00	92,561
10.3 DCI Madogo Office	4,492,385		4,492,385		4,399,824.00	92,561
10.4 Bura AP line			1,898,227	1,898,227.20	1,867,002.20	31,225
Asako Police Station					3,468,775.00	(3,468,775)
Chiefs Office Bilbil					2,268,775.00	(2,268,775)
Walestokocha Chiefs Office					2,268,775.00	(2,268,775)
Sala Chiefs Office			-		2,268,775.00	(2,268,775)
Charidende Chiefs office			-		963,040.00	(963,040)
Madogo Police Station			-		668,775.00	(668,775)
Chiefs Office Bilbil					468,775.00	(468,775)
Walestokocha Chiefs Office					468,775.00	(468,775)
Mororo Chiefs Office					2,262,680.00	(2,262,680)
			-			-

**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

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Bangale Police Station								3,125,000.00	(3,125,000)
<b>Total</b>	<b>12,837,271</b>	<b>-</b>	<b>1,898,227</b>	<b>14,735,498</b>	<b>32,688,736</b>	<b>(17,953,238)</b>			
<b>11.0 Acquisition of assets</b>									
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>			
<b>12.0 Other payments</b>									
12.1 Bura District Education Office	500,000			500,000	452,440.00	47,560			
<b>Total</b>	<b>500,000</b>	<b>-</b>	<b>-</b>	<b>500,000</b>	<b>452,440</b>	<b>47,560</b>			
<b>13.0 unallocated fund</b>									
Unapproved projects									
AIA		164,000.00		164,000		164,000			
PMC savings									
<b>Total</b>	<b>137,088,879</b>	<b>59,985,780</b>	<b>57,688,879</b>	<b>254,763,538</b>	<b>201,718,318</b>	<b>42,140,895</b>			

## **XI. Significant Accounting Policies**

The principle accounting policies adopted in the preparation of these financial statements are set out below:

### **1. Statement of Compliance and Basis of Preparation**

The financial statements have been prepared in accordance with Cash-basis International Public Sector Accounting Standards (IPSAS) as prescribed by the Public Sector Accounting Standards Board (PSASB) and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits (gratuity and retentions).

The financial statements comply with and conform to the form of presentation prescribed by the PSASB. The accounting policies adopted have been consistently applied to all the years presented.

### **2. Reporting Entity**

The financial statements are for the NGCDF-BURA Constituency. The financial statements encompass the reporting entity as specified under section 81 of the PFM Act 2012

### **3. Reporting Currency**

The financial statements are presented in Kenya Shillings (Kshs), which is the functional and reporting currency of the Government and all values are rounded to the nearest Kenya Shilling.

### **4. Significant Accounting Policies**

The accounting policies set out in this section have been consistently applied by the entity for all the years presented.

#### **a) Recognition of Receipts**

The entity recognises all receipts from the various sources when the event occurs, and the related cash has actually been received by the Entity.



**Transfers from the National Government Constituency Development Fund (NG-CDF)**

Transfers from the NG-CDF to the constituency are recognized when cash is received in the Constituency account.

**Proceeds from Sale of Assets**

Proceeds from disposal of assets are recognized as and when cash is received in the constituency account.

**Other receipts**

These include Appropriation-in-Aid and relates to receipts such as proceeds from sale of tender documents, rent receipts, interest earned on bank balances, hire of Plant/Equipment/Facilities, Unutilized funds from PMCs among others.

***Unutilized Funds from PMCs.***

All unutilized funds of the Project Management Committee (PMC) are returned to the constituency account. Unutilized funds from PMCs are recognised as other receipts upon return to the constituency account.

**External Assistance**

External assistance refers to grants and loans received from local, multilateral and bilateral development partners. In the year under review there was no external assistance received.

**b) Recognition of payments**

The Entity recognises all payments when the event occurs and the related cash has actually been paid out by the entity.

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National Government Constituencies Development Fund (NGCDF)  
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Significant Accounting Policies continued***

**Compensation of Employees**

Salaries and wages, allowances, statutory contribution for employees are recognized in the period when the compensation is paid.

**Use of Goods and Services**

Goods and services are recognized as payments in the period when the goods/services are paid for. Such expenses, if not paid during the period where goods/services are consumed, shall be disclosed as pending bills.

**Acquisition of Fixed Assets**

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each constituency and a summary provided for purposes of consolidation. This summary is disclosed as an annexure to the financial statements.

**5. In-kind contributions**

In-kind contributions are donations that are made to the constituency in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the constituency includes such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

***Bura Constituency***

***National Government Constituencies Development Fund (NGCDF)***

***Annual Report and Financial Statements for The Year Ended June 30, 2022***

***Significant Accounting Policies continued***

**6. Cash and Cash Equivalents.**

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at various commercial banks at the end of the financial year.

**7. Accounts Receivable**

For the purposes of these financial statements, imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year are treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

**8. Accounts Payable**

For the purposes of these financial statements, Deposits (gratuity and retentions) held on behalf of third parties have been recognized on an accrual basis (as accounts payables). This is in recognition of the government practice of retaining a portion of contracted services and works pending fulfilment of obligations by the contractor and to hold deposits on behalf of third parties. Gratuity earned on monthly is held on behalf of the employee and later paid at the end of the contract period. This is an enhancement to the cash accounting policy adopted by National Government Constituencies Development Fund as prescribed by PSASB. Other liabilities including pending bills are disclosed in the financial statements.

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National Government Constituencies Development Fund (NGCDF)  
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Significant Accounting Policies continued***

**9. Pending Bills**

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they are recorded as ‘memorandum’ or ‘off-balance’ items to provide a sense of the overall net cash position of the entity at the end of the financial year. When the pending bills are finally settled, such payments are included in the Statement of Receipts and Payments in the year in which the payments are made.

**10. Unutilized Fund**

Unutilized funds consist of bank balances in the constituency account and funds not yet disbursed by the Board to the constituency at the end of the financial year. These balances are available for use in the subsequent financial year to fund projects approved in the respective prior financial years consistent with sec 6(2) and sec 7(2) of NGCDF Act, 2015

**11. Budget**

The budget is developed on a comparable accounting basis (cash basis except for imprest which is accounted for on an accrual basis), the same accounts classification basis, and for the same period as the financial statements. The original budget was approved by Parliament on 10<sup>th</sup> June 2021 for the period 1<sup>st</sup> July 2021 to 30<sup>th</sup> June 2022 as required by law. Included in the adjustments are Cash book opening balance, AIA generated during the year and constituency allocations not yet disbursed at the beginning of the financial year.

A comparison of the actual performance against the comparable budget for the financial year under review has been included in the financial statements.

**12. Comparative Figures**

Where necessary, comparative figures for the previous financial year have been amended or reconfigured to conform to the required changes in presentation.

**13. Subsequent Events**

There have been no events subsequent to the financial year end with a significant impact on the financial statements for the year ended 30<sup>th</sup> June 2022.

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Significant Accounting Policies continued***

**14. Errors**

Material prior period errors are corrected retrospectively in the first set of financial statements authorized for issue after their discovery by: i. restating the comparative amounts for prior period(s) presented in which the error occurred; or ii. If the error occurred before the earliest prior period presented, restating the opening balances of assets, liabilities and net assets/equity for the earliest prior period presented.

During the year, errors that have been corrected are disclosed under note 14 explaining the nature and amounts.

**15. Related Party Transactions**

The Entity regards a related party as a person or an entity with the ability to exert control individually or jointly, or to exercise significant influence over the Entity, or vice versa.

*Bura Constituency*  
*National Government Constituencies Development Fund (NGCDF)*  
*Annual Report and Financial Statements for The Year Ended June 30, 2022*

**XII. Notes to the Financial Statements**

**1. Transfers from NGCDF Board**

Description	2021-2022	2020 - 2021
	Kshs	Kshs
AIE NO. B140804-2019/2020	10,000,000.00	
AIE NO. B140851-2020-2021	33,000,000.00	0
AIE NO. B105418	44,000,000.00	0
AIE NO. B105737	22,000,000.00	0
AIE NO. B154376	12,000,000.00	0
AIE NO. B128775	12,000,000.00	
AIE NO. B154272	19,000,000.00	
AIE NO. B132460	5,000,000.00	
AIE NO. B140789	23,088,879.00	
AIE NO. B126068-2017/2018	2,000,000.00	
AIE NO. B 096852		500,000
AIE NO. B 104934		59,367,724
AIE NO. B 124762		1,000,000
AIE NO. B 124904		8,500,000
AIE NO. B 119759		12,000,000
AIE NO. B 119749		11,900,000
AIE NO. B 128360		8,000,000
AIE NO. B 132105		6,000,000
AIE NO. B 138773		12,000,000
AIE NO. B 126068		8,000,000
AIE NO. B 126358		11,000,000
AIE NO. B 140504		13,000,000
	<b>182,088,879.00</b>	<b>151,267,724</b>

**Bura Constituency**

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**2. Other Receipts**

<b>Description</b>	<b>2021-2022</b>	<b>2020 - 2021</b>
	<b>Kshs</b>	<b>Kshs</b>
Interest Received		-
Rents		-
Receipts Sale of Tender Documents	89,000	75,000
Hire of plant/equipment/facilities	-	-
Unutilized funds from PMCs	-	-
Other Receipts Not Classified Elsewhere (specify)	-	-
<b>TOTAL</b>	<b>89,000</b>	<b>75,000</b>

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
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**Notes To the Financial Statements (Continued)**

**3. Compensation of Employees**

Description	2021-2022	2020 - 2021
	Kshs	Kshs
NG-CDFC Basic staff salaries	1,517,209	1,794,226
Basic Wages of Casual Employees	402,000	324,000
Personal allowances paid as part of salary		
House allowance	-	-
Transport allowance	-	-
Leave allowance	-	-
Gratuity-contractual employees	215,645	-
Employer Contributions Compulsory national social security schemes	11,000	12,000
<b>TOTAL</b>	<b>2,145,855</b>	<b>2,130,226</b>

**4. Use of Goods and Services**

Description	2021-2022	2020 - 2021
	Kshs	Kshs
Water & sewerage charges	8,000	-
Communication, supplies and services	598,200	270,800
Domestic travel and subsistence	750,399	249,500
Printing, advertising and information supplies & services	205,900	33,991
Training expenses	1,142,500	2,100,000
Hospitality supplies and services	125,000	-
Other committee expenses	4,015,520	6,201,586
Committee allowance	1,608,000	1,376,000
Office and general supplies and services	91,700	193,500
Fuel , oil & lubricants	127,830	164,759
Bank service commission and charges	34,622	43,944
Routine maintenance - vehicles and other transport equipment	50,800	986,320
<b>TOTAL</b>	<b>8,758,471</b>	<b>11,620,400</b>



**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

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*Notes to the Financial Statements (Continued)*

**5. Transfer to Other Government Units**

Description	2021-2022	2020 - 2021
	Kshs	Kshs
Transfers to Primary Schools	83,905,984	42,803,827
Transfers to Secondary Schools	42,483,896	24,249,412
Transfers to Tertiary Institutions	6,779,225	-
<b>TOTAL</b>	<b>133,169,105</b>	<b>67,053,239</b>

**6. Other Grants and Other transfers**

Description	2021-2022	2020 - 2021
	Kshs	Kshs
Bursary - Secondary	8,292,000	22,240,000
Bursary -Tertiary	11,331,400	23,820,000
Security Projects	32,688,736	558,000
Sports Projects	2,730,000	2,730,000
Environment Projects	5,854,638	-
Emergency Projects	7,200,000	13,073,723
<b>TOTAL</b>	<b>68,096,774</b>	<b>62,421,723</b>

**7. Acquisition of Assets**

	2021-2022	2020-2021
	Kshs	Kshs
Purchase of Office Furniture and General Equipment	-	164,000
Purchase of Computers, printers and Other IT equipment	-	146,000
Purchase of ICT Equipment, Software and Other ICT Assets	-	38,000
<b>Total</b>	<b>-</b>	<b>348,000</b>

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Notes To the Financial Statements (Continued)*

**8. Other Payments**

Description	2021-2022	2020-2021
	Kshs	Kshs
BURA DEOS OFFICE-Toilet	452,440.00	-
NG-CDF OFFICE-Landscaping	-	290,000
<b>TOTAL</b>	<b>452,440.00</b>	<b>290,000</b>

**9. Cash Book Bank Balance**

Name of Bank, Account No. & currency	Account Number	2021-2022	2020 - 2021
		Kshs (30/6/2022)	Kshs (30/6/2021)
<i>Kenya Commercial Bank, Garissa Branch, Bura NG-CDF</i>	<i>A/C no.1107773164</i>	<b>29,452,015</b>	<b>59,896,779</b>
<b>TOTAL</b>		<b>29,452,015</b>	<b>59,896,779</b>

**10. Balances Brought Forward**

Description	2021-2022	2020- 2021
	Kshs (1/7/2021)	Kshs (1/7/2020)
Bank accounts	59,896,779	52,417,643
Cash in hand	-	-
Imprest	-	-
<b>TOTAL</b>	<b>59,896,779</b>	<b>52,417,643</b>

**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

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**Notes to the Financial Statements (Continued)**

**11. Other Important Disclosures**

**11.1: Unutilized Fund (See Annex 1)**

	<b>2021-2022</b>	<b>2020-2021</b>
	<b>Kshs</b>	<b>Kshs</b>
Compensation of employees	2,506,596	3,000,953
Use of goods and services	912,998	222,761
Amounts due to other Government entities (see attached list)	32,955,923	71,431,292
Amounts due to other grants and other transfers (see attached list)	5,553,817	30,848,298
Others ( <i>specify</i> )	47,560	7,354
AIA	164,000	75,000
Funds pending approval - AIA	-	-
	<b>42,140,895</b>	<b>105,585,658</b>

*Bura Constituency*  
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**11.2: PMC account balances (See Annex 3)**

	<b>2021-2022</b>	<b>2020-2021</b>
	<b>Kshs</b>	<b>Kshs</b>
PMC account balances (see attached list)	13,414,346	18,514,337
	<b>13,414,346</b>	<b>18,514,337</b>

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

**Annexes  
Annex 1 – Unutilized Fund**

<b>Name</b>	<b>Brief Transaction Description</b>	<b>Outstanding Balance 2021/22</b>	<b>Outstanding Balance 2020/2021</b>	<b>Comments</b>
Compensation of employees	Staff salaries and gratuities	2,506,596	3,000,953	
Use of goods & services	Committee expenses	912,998	222,761	
Amounts due to other Government entities				
7.2 Bangale Primary School		125,480		
7.3 Birole Primary School		62,720		
7.5 Boji Primary School		125,480		
7.6 Bula Sukele Primary School		62,720		
7.8 Bulagosta Primary School		62,720		
7.91 Lagbadana Primary School		62,720		
7.94 Elrar Primary School		2,368,775		
7.95 Gale Primary School		2,368,775		
7.96 Koti Primary School		5,979,225		
7.97 Mororo Primary school		7,479,225		
7.98 Shikaadabu Primary School		3,179,225		
7.99 Sombo Primary School		2,368,775		
8.00 Take Primary School		2,368,775		
8.01Taleo Primary School		2,368,775		
8.02 Walesorea Primary School		1,479,225		
8.03 Walestokocha Primary School		2,368,775		
8.04 Baleneka Primary School		2,368,775		

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<b>Name</b>	<b>Brief Transaction Description</b>	<b>Outstanding Balance 2021/22</b>	<b>Outstanding Balance 2020/2021</b>	<b>Comments</b>
8.05 Bulasukele Primary School		3,568,775		
9.08 Elrar Primary School		31,225		
9.09 Gale Primary School		31,225		
10.00 Koti Primary School		20,775		
10.01 Mororo Primary School		20,775		
10.02 Shikaadabu Primary School		20,775		
10.03 Sombo Primary School		31,225		
10.04 Take Primary School		31,225		
10.05 Taleo Primary School		31,225		
10.06 Walesorea Primary School		20,775		
10.07 Walestokocha Primary School		31,225		
10.08 Baleneka Primary School		31,225		
10.09 Bula Sukele Primary School		31,225		
Yusuf Dika c/o Ali Dhidha		(124,900)		
Yusuf Dika c/o Ali Dhidha		(575,920)		
Yusuf Dika c/o Ali Dhidha		(370,000)		
Yusuf Dika c/o Ali Dhidha		(480,000)		
Bula Sukele Primary School		(452,440)		
Boji Primary School		(452,440)		
Huruma Primary School-Fence		(6,025,636)		
Huruma Primary School		(452,440)		
8.1 Huruma Secondary School		105,480		
8.2 Madogo Secondary School		125,480		
8.5 Mororo Secondary School		(1,353,745)		

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**

<b>Name</b>	<b>Brief Transaction Description</b>	<b>Outstanding Balance 2021/22</b>	<b>Outstanding Balance 2020/2021</b>	<b>Comments</b>
8.94 Fayya Girls Secondary School		2,510,566		
8.95 Charidende Secondary School		1,000,000		
8.96 Fayya Girls Secondary School		591,206		
8.97 Singwaya Secondary School		2,000,000		
8.98 Mororo Secondary School		625,646		
8.99 Fayya Boys Secondary School		(2,368,775)		
8.991 Fayya Boys Secondary School		(468,775)		
Fayya Technical Vocational		20,775		
<b>Sub-Total</b>		<b>32,955,923</b>	<b>71,431,292</b>	
Amounts due to other grants and other transfers		<b>71,431,292.00</b>		
Emergency		(7,793)		
5.1 Constituency Sports		11,778		
6.1 Bilbil Primary School		47,560		
6.2 Godia Primary School		52,560		
6.3 Hamaresa Primary School		47,560		
6.4 Mororo Secondary School		47,560		

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

<b>Name</b>	<b>Brief Transaction Description</b>	<b>Outstanding Balance 2021/22</b>	<b>Outstanding Balance 2020/2021</b>	<b>Comments</b>
Bulasukele Primary School		(468,775)		
Dida Primary School		(468,775)		
Koti Primary School		(968,775)		
Abagala Secondary School		(468,775)		
Fayya Girls Secondary School		(241,778)		
Ruwane Suppliers Limited		(916,914)		
Commissioner of VAT		(16,086)		
4.1 Secondary Schools		15,198,554		
4.2 Tertiary Institutions		11,659,154		
10.1 Aleri Chiefs office		62,560		
10.2 Charidende Police Station		92,561		
10.3 DCI Madogo Office		92,561		
10.4 Bura AP line		31,225		
Asako Police Station		(3,468,775)		
Chiefs Office Bilbil		(2,268,775)		
Walestokocho Chiefs Office		(2,268,775)		



**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

<b>Name</b>	<b>Brief Transaction Description</b>	<b>Outstanding Balance 2021/22</b>	<b>Outstanding Balance 2020/2021</b>	<b>Comments</b>
Sala Chiefs Office		(2,268,775)		
Charidende Chiefs office		(963,040)		
Madogo Police Station		(668,775)		
Chiefs Office Bilbil		(468,775)		
Walestokocha Chiefs Office		(468,775)		
Mororo Chiefs Office		(2,262,680)		
Bangale Police Station		(3,125,000)		
<b>Sub-Total</b>		<b>5,553,817</b>	<b>30,848,298</b>	
Acquisition of assets				
Others ( <i>specify</i> )				
Bura District Education office		47,560	7,354	
<b>Sub-Total</b>		<b>47,560</b>	<b>0</b>	
Funds pending approval - AIA		164,000	0	
<b>Grand Total</b>		<b>42,140,895</b>	<b>105,585,658</b>	

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

**Annex 2 – Summary of Fixed Asset Register**

<b>Asset class</b>	<b>Historical Cost b/f/f (Kshs) 2020/2021</b>	<b>Additions during the year (Kshs)</b>	<b>Disposals during the year (Kshs)</b>	<b>Historical Cost (Kshs) 2021/2022</b>
Land	3,770,550			3,770,550
Buildings and structures	8,025,000			8,025,000
Transport equipment	12,000,000			12,000,000
Office equipment, furniture and fittings	995,364			995,364
ICT Equipment, Software and Other ICT Assets	405,000			405,000
Other Machinery and Equipment	40,000			40,000
Heritage and cultural assets				
Intangible assets				
<b>Total</b>	<b>25,235,914</b>	<b>-</b>		<b>25,235,914</b>

**Bura Constituency**  
**National Government Constituencies Development Fund (NGCDF)**  
**Annual Report and Financial Statements for The Year Ended June 30, 2022**  
**Annex 3 –PMC Bank Balances As At 30<sup>th</sup> June 2022**

PMC	Bank	Account number	Bank Balance 2021/22	Bank Balance 2020/21
Fayya Girls secondary school	KCB	1256695440	1,630,896.98	7,392,085.10
Huruma primary school	KCB	1280937890	1,456,065.45	329,570.35
Charidende secondary school	KCB	1279161647	1,027,908	724,895
Biole primary school	KCB	1296852857	2,337,280	0
Bulagosta primary school	KCB	1297552830	2,337,280	0
Madogo secondary school	KCB	1165139677	665,436.10	0
Walesorea primary school	KCB	1203357974	1,478,593.40	0
Bangal police station NG-CDF project	KCB	1292929154	327,668.75	0
Charidende police station NG-CDF	KCB	1292924896	2,153,217	0
Maramtu Primary School	KCB	1280661151		617,888.00
Hamares primary school	KCB	1279251441		185,503.00
Sombo Primary School	KCB	1279280573		447,101.00
Hosingo Primary School	KCB	1277386986		469,496.00
wadesa Primary School	KCB	1280938684		491,261.00
Bulto Banta Primary School	KCB	1280040637		474,577.00
Koti Primary School	KCB	1256770825		555,421.10
Kuriti Primary School	KCB	1280189738		144,612.00
Baleneka Primary School	KCB	1279677678		106,057.00

**Bura Constituency  
National Government Constituencies Development Fund (NGCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

<b>PMC</b>	<b>Bank</b>	<b>Account number</b>	<b>Bank Balance 2021/22</b>	<b>Bank Balance 2020/21</b>
Bangale Primary School	KCB	1154147592		429,485.40
Magura Primary School	KCB	1280015888		203,643.92
Bura desk Project	KCB	1280396016		852.20
Singwaya Sec School	KCB	1258185385		1,061,433.10
Abagala Sec School	KCB	1284969339		2,462,680.00
Mororo Mixed Day Sec	KCB	1153506181		1,970,820.50
Adele primary school	KCB	1283565862		446,955.00
<b>Total</b>			<b>13,414,346</b>	<b>18,514,337</b>

**Annex 4: Progress On Follow Up of Auditor Recommendations**

The following is the summary of issues raised by the external auditor, and management comments that were provided to the auditor and subsequent progress made on the resolution of the issues.

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
BURA/CDF/AUD/VOL.II/(4)	Unaccounted for bursary funds. No evidence that bursaries were received, since there were no official receipts or acknowledgement letters from the beneficiary institutions. Further, the bursaries applications register, which record details of application received, was not signed by the applicants.	<p>➤ The bursary committee had a meeting in the month of April 2021 and sorted all the bursary forms and the needy successful applicants in secondary schools were awarded kshs 6,000 each, needy university applicants were awarded kshs 20,000 each except for the one students pursuing medical course who was awarded kshs 100,000 and needy college students were awarded kshs 10,000 each (See the attached Bursary committee meeting of 23<sup>rd</sup> April 2021 and Bura Ng-cdf committee meetings of 3<sup>rd</sup> May 2021.</p> <p>➤ We managed to use postal corporation services where most of the cheques were acknowledged. However the parents and students issued with cheque mostly failed to return the receipts. We are following</p>	Not resolved	1 year

**Bura Constituency  
National Government Constituencies Development Fund (NGCCDF)  
Annual Report and Financial Statements for The Year Ended June 30, 2022**

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
		<p>up on the remaining unacknowledged bursaries.</p> <ul style="list-style-type: none"> <li>➤ The bursary committee issued the serialized bursary forms to all the 5 wards of Bura constituency.</li> </ul> <p>The Forms were filled and returned to our office for considerations. The forms captured all the details of all the bursary applicants (see the attached sample of bursary forms.</p>		
	<p>Delay in project implementation. A review of the project implementation status report provided for audit indicated that the management planned to implement 40 projects at a total cost of kshs. 129,529,336 during the year under review. These projects of different categories were at different completion status, with 23 projects completed 10 were ongoing while seven (7) had not commenced by the time of audit. Further, inspection of a sample of five (5) projects, in</p>	<p>As at the time of audit, April 2022 the projects were not implemented due to delay of funds from NG-CDF Board.</p> <p>All the projects are now complete and in use.</p>	Not resolved	1 year

**Bura Constituency**

**National Government Constituencies Development Fund (NGCDF)**

**Annual Report and Financial Statements for The Year Ended June 30, 2022**

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>April 2022 revealed that the project had been completed. However, these projects with total cost of kshs. 10,526,806 had not been put to use and were lying idle at the time of audit.</p>			
	<p>Lack of Constituency Oversight Committee. The management did not establish Constituency Oversight Committee.</p>	<p>We shall put in place Constituency Oversight Committee by the end of April 2023.</p>	<p>Not resolved</p>	<p>1 year</p>
	<p>Incomplete fixed asset register. The fixed assets disclosed neither the land title deed number nor an allotment letter for the land where the office of the fund is located.</p>	<p>We have started the process of obtaining the title deed.</p>	<p>Not resolved</p>	<p>1 year</p>

.....  
**Name: Yusuf Dika**  
**Fund Account Manager.**






Approved  
SBS  
D/SNA  
4/7/2023

REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT – SECOND SESSION – 2023

DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

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REPORT ON-  
THE CONSIDERATION OF THE PENSIONS (AMENDMENT) BILL (*NATIONAL ASSEMBLY BILL NO. 44 OF 2022*)

 THE NATIONAL ASSEMBLY PARLIAMENT BUILDINGS NAIROBI	
DATE:	04 JUL 2023
	DAY: Tuesday
TABLED BY:	Hon. Kuria Kimani (Chairperson, Committee on Finance and National Planning)
CLERK-AT THE TABLE:	Inzefu Mwale

CLERK'S CHAMBERS  
DIRECTORATE OF DEPARTMENTAL COMMITTEES  
PARLIAMENT BUILDINGS  
NAIROBI

JUNE 2023



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## **ANNEXURES**

- Annexure 1: Signed list of Members who attended the sitting which considered and adopted the report
- Annexure 2: Minutes of sittings of the Committee on the consideration of the Bill
- Annexure 3: Public participation advertisement
- Annexure 4: Stakeholder submissions

## CHAIRPERSON'S FOREWORD

This report contains the Committee's proceedings on the consideration of the Pensions (Amendment) Bill (*National Assembly Bill No. 44 of 2022*). The Bill was published on 28<sup>th</sup> October 2022, read a First Time on 15<sup>th</sup> February 2023 and committed to the Departmental Committee on Finance and National Planning for review and reporting to the House pursuant to Standing Order 127.

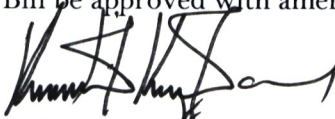
The Bill seeks to amend the Pensions Act Cap. 189 to provide a timeline within which pension shall be payable upon retirement from service. It seeks to remedy the delays in payment of pension after it is due.

Following the placement of adverts in the print media on 23<sup>rd</sup> February 2023 requesting comments on the Bill from members of the public and relevant stakeholders pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3), the Committee received memoranda from Ministry of Finance and Economic Planning.

The National Treasury submitted memoranda supporting the proposed amendment as it provides a timeline for pension payment by the government. The Committee agreed with the concerns raised by the National Treasury and as such, proposed that the Pensions Act be amended further to provide for a period within which the employing government entity should submit a retiree's documents to the Pensions Department for payment of pension.

On behalf of the Departmental Committee on Finance and National Planning and pursuant to provisions of Standing Order 199 (6), it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of the Pension (Amendment) Bill (*N.A. Bill No. 44 of 2022*). The Committee is grateful to the Offices of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee further wishes to thank the National Treasury and Economic Planning for submitting their comments on the Bill. Finally, I wish to express my appreciation to the Honourable Members of the Committee and the Committee Secretariat who made useful contributions towards the preparation and production of this report.

It is my pleasure to report that the Committee has considered the Pension (Amendment) Bill (*N.A. Bill No. 44 of 2022*) and has the honour to report to the National Assembly with the recommendation that the Bill be approved with amendments.



**Hon. CPA Kuria Kimani, M.P.**

**Chairperson, Departmental Committee on Finance and National Planning**

## PART ONE

### 1. PREFACE

#### 1.1. Establishment and Mandate of the Committee

1. The Departmental Committee on Finance and National Planning is one of the twenty (20) Departmental Committees of the House established under **Standing Order 216** which mandates Departmental Committees-
  - i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
  - ii. To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
  - iii. on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
  - iv. To study and review all legislation referred to it;*
  - v. To study, assess and analyze the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
  - vi. To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
  - vii. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);**
  - viii. To examine treaties, agreements and conventions;*
  - ix. To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;*
  - x. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
  - xi. To examine any questions raised by Members on a matter within its mandate.*

#### 1.2. Subjects under the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider, public finance, public audit policies, monetary policies, financial institutions (excluding those in securities exchange), economy, investment policies, competition, banking, insurance, national statistics, population, revenue policies including taxation, national planning and development, digital finance, including digital currency.
3. The Committee oversees the Ministry of National Treasury and Planning, Commission on Revenue Allocation and Office of the Controller of Budget.

### 1.3. Committee Membership

4. The Committee was constituted by the House on 27th October 2022 and comprises the following Members:

#### **Chairperson**

Hon. CPA. Kuria Kimani, MP  
Molo Constituency  
**UDA Party**

#### **Vice-Chairperson**

Hon. (Amb.) CPA. Langat Benjamin Kipkirui, MP  
Ainamoi Constituency  
**UDA Party**

#### **Members**

Hon. Dr. Keynan Wehliye Adan, MP  
Eldas Constituency  
**Jubilee Party**

Hon. CPA Oyula Joseph H. Maero, MP  
Butula Constituency  
**ODM Party**

Hon. Mboni David Mwalika, MP  
Kitui Rural Constituency  
**WDM Party**

Hon. Okuome Adipo Andrew, MP  
Karachuonyo Constituency  
**ODM Party**

Hon. Kipkoros Joseph Makilap, MP  
Baringo North Constituency  
**UDA Party**

Hon. CPA Rutto Julius Kipleting, MP  
Kesses Constituency  
**UDA Party**

Hon. Biego Paul Kibichiy, MP  
Chesumei Constituency  
**UDA Party**

Hon. Sunkuyia George Risa, MP  
Kajiado West Constituency  
**UDA Party**

Hon. Joseph Kamau Munyoro, MP  
Kigumo Constituency  
**UDA Party**

Hon. Sheikh Umul Ker Kassim, MP  
Mandera County  
**UDM Party**

Hon. Ithinji Shadrack Mwiti, MP  
South Imenti Constituency  
**Jubilee Party**

Hon. Dr. CPA Ariko N. John, MP  
Turkana South Constituency  
**ODM Party**

Hon. Machele Mohamed Soud, MP  
Mvita Constituency  
**ODM Party**

#### 1.4. Committee Secretariat

5. The Committee is facilitated by the following staff:

Mr. Benjamin Magut  
**Senior Clerk Assistant /Head of Secretariat**

Mr. Nebert Ikai  
**Clerk Assistant I**

Mr. Joshua Ondari  
**Clerk Assistant II**

Mr. Salem Lorot  
**Legal Counsel I**

Mr. Benson Kamande  
**Clerk Assistant III**

Mr. George Ndenjeshe  
**Fiscal Analyst III**

Ms. Terry Ondiko  
**Fiscal Analyst III**

Mr. Andrew Jumanne Shangarai  
**Principal Serjeant-At-Arms**

Mr. Simon Odhiambo Ouko  
**Assistant Serjeant-At-Arms**

Ms. Shamsa A. Abdi  
**Research Officer III**

Ms. Nelly W. N Ondieki  
**Research Officer III**

## **PART TWO**

### **2 OVERVIEW OF THE PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2022)**

#### **2.1 ANALYSIS OF THE BILL**

6. The Pensions (Amendment) Bill, 2020 seeks to amend the Pensions Act Cap.189 to provide a timeline within which pension shall be payable to an officer.
5. The Bill further seeks to remedy the delays in payment of pension upon retirement from public service

#### **2.2 REVIEW OF THE PENSIONS (AMENDMENT) BILL, 2020**

6. The Pensions (Amendment) Bill, 2022 contains two (2) clauses where clause (1) provides for the short title whereas clause 2 seeks to amend section 6 of the Pensions Act Cap. 189 by inserting a new sub-section 1A immediately after sub-section (1).
7. The new sub-section (1A) provides that the pension shall be paid within ninety days from the date such pension becomes payable.

## PART THREE

### 3 PUBLIC PARTICIPATION/STAKEHOLDER CONSULTATION

8. Following the call for memoranda from members of the public through the placement of adverts in the print media on **23<sup>rd</sup> February 2023** requesting comments on the Bill and invitation of stakeholders vide letter REF: **NA/DDC/F&NP/2023/025** dated 20<sup>th</sup> March 2023 only the National Treasury and Economic Planning submitted their views on the Bill. The stakeholders submitted as follows:

#### 3.1 THE NATIONAL TREASURY AND ECONOMIC PLANNING

The National Treasury and Economic Planning through a letter Ref: TNT/PENS/15/3/(189) dated 29<sup>th</sup> March 2023 submitted as follows:

9. An amendment to the Pensions Act Cap 189 in the year 2003 (popularly known as the Musila Bill) attempted to address delay in pension payment by introducing section 16(A) which stated that:- *'A person to whom a pension or other allowance is payable under this Act shall be entitled to be retained in the service until the payment in full in gratuity payable to him consequent upon the exercise by him of his option to receive such gratuity under the provisions of this Act.'*
10. The pension payment process was dependent on various actors in the chain each with segregated mandates/responsibilities that impact the timeframe for pension payment.
11. The retirees or beneficiaries of a deceased officer had the responsibility of applying for their pension dues completing and submitting specific documents besides exercising the option for pension commutation and giving instructions on the bank account to which their pension benefits should be remitted.
12. Any delays on the part of a pensioner may occasion delays, especially in instances where family disputes and protracted succession litigation arise.
13. The second stakeholder is the employer. The employer is required to issue retirement notice to an employee one year in advance to enable them to complete the required claim forms and submit them for processing and submission to the Pensions Department at least nine months prior to his/her retirement.
14. The Pension Department being the administrator of the pension claims is the final player in the pension processing chain. It was expected that once a fully supported pension claim was submitted to the Pensions Department in the National Treasury, the claim would be finalized within the stipulated 90 days proposed in the Amendment Bill. It may be noted that the department is already processing and finalizing pension files within 90 days upon receipt of a fully supported pension claim.
15. However, the release/transmission of the pension gratuity payment to the respective pensioners/beneficiaries' bank accounts is dependent on the availability of exchequer funding which in return depends on the National Revenue inflows. It may be noted that delays in exchequer funding could pose to time-bound disbursements.
16. Whereas the intended amendment is progressive, an absolute strict timeframe may expose the Government to possible litigation in instances where the threshold is not met. Such cases could lead to class action suits that loop in many claimants within the possibility of court awards amounting to huge decretal amounts.



## PART FOUR

### 4 COMMITTEE OBSERVATIONS

Upon reviewing the Bill, the Committee made the following observations:

17. A similar Bill, sponsored by the same Member, was considered in the 12th Parliament. The Pensions (Amendment) Bill, 2020 (National Assembly Bills No. 26 of 2020) was published on 26th August, 2020 and it was read for a first time on 10th September, 2020. The Committee tabled its report on 5th August, 2021. The Bill was read for a second time but the Committee Stage was pending hence it lapsed in the 12th Parliament.
18. In the Committee's report in the 12th Parliament, its observations were as follows—
  - i) If enacted, the Bill will make it possible for pensioners who have retired from public service to receive their pensions soon after retirement;
  - ii) An automated pension system that will link up the National Treasury Pensions Department with pension departments of all government entities should be put in place to increase efficiency in pension processing;
  - iii) The National Treasury should review the number of documentation needed for the processing of pensions to make the process easier; and
  - iv) The National Treasury should build the capacity of pensions departments in public entities to enhance their efficiency in processing pensions for their employees

**PART FIVE**

**5.0 COMMITTEE RECOMMENDATION**

19. The Committee having considered the Pensions (Amendment) Bill (*N.A. Bill No. 44 of 2022*) recommends that the House approves the Bill with amendments as proposed in the schedule.

**PART SIX**

**6.0 SCHEDULE OF PROPOSED AMENDMENTS**

The Committee proposed the following amendments to be considered by the House in the Committee stage:

**NEW CLAUSE**

20. **THAT**, the Bill be amended by inserting the following new clause immediately after clause 1-  
1A. The Pensions Act is amended in section 3 by inserting the following new sub-section immediately after sub-section (5)-  
(6) The Minister may make regulations to give effect to the provisions of section 6.

**Justification**

**The amendment is to give the Minister (Cabinet Secretary) power to make regulations to give effect to the provisions of section 6, with regard to prompt payment of pension**

**CLAUSE 2**

21. **THAT**, clause 2 of the Bill be amended by inserting the following new sub-sections-

(1B) Without prejudice to the generality of sub-section (1A), the Ministry or Department where an officer was serving prior to retirement, shall send the relevant documents to the Pensions Department within thirty days from the date of retirement of the officer.

(1C) Subject to Sub-section (1B), the Pensions Department shall process the officer's pension within sixty days of receipt of the documents.

**Justification**

**The amendment is to set a timeline of thirty days for transmission of a retiree's documents/file by the Ministry or Department where a retiree was working to the Pensions Department. Thereafter, to require the Pension Department to process the pension within sixty days.**

SIGNED.......... DATE 4<sup>th</sup> July, 2023.....

**HON. CPA. KURIA KIMANI, MP  
CHAIRPERSON,  
DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING**



**THE NATIONAL ASSEMBLY**  
**13TH PARLIAMENT - SECOND SESSION (2023)**  
**COMMITTEE ON FINANCE & NATIONAL PLANNING**  
**ADOPTION LIST**

Agenda: Adoption of the following Reports-

- a) Report on the vetting of CPA Mary Andeyo Wanyonyi Chebukati nominee for appointment as the Chairperson, Commission on Revenue Allocation
- b) Report on the Kenya National Population Policy for Sustainable Development
- c) Report on the Pension Bill (Amendment) (NA Bill No. 44 of 2022) by Hon. Didmus Barasa, MP

Date: 27<sup>th</sup> June 2023

Time: 10.00 am

Venue: 5<sup>th</sup> Floor Continental House

No.	NAME	SIGNATURE
1.	Hon. CPA. Kuria Kimani, MP - Chairperson	
2.	Hon. Amb. Benjamin Kipkirui Langat, MP - Vice Chairperson	
3.	Hon. Dr. Adan Keynan Wehliye, MP	
4.	Hon. George Sunkuyia Risa, MP	
5.	Hon. CPA. Joseph Maero Oyula, MP	
6.	Hon. Andrew Adipo Okuome, MP	
7.	Hon. David Mwalika Mboni, MP	
8.	Hon. Joseph Makilap Kipkoros, MP	
9.	Hon. Joseph Kamau Munyoro, MP	
10.	Hon. CPA. Julius Kipletting Rutto, MP	
11.	Hon. Paul Kibichiy Biego, MP	
12.	Hon. Umul Ker Sheikh Kassim, MP	
13.	Hon. Dr. Shadrack Mwiti Ithinji, MP	
14.	Hon. Dr. John Ariko Namoit, MP	
15.	Hon. Mohamed Soud Machele, MP	

**MINUTES OF THE 57<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING HELD ON TUESDAY, 27<sup>TH</sup> JUNE 2023 AT 10.00 AM IN COMMITTEE ROOM ON 5<sup>TH</sup> FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDINGS.**

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**PRESENT**

1. Hon. CPA. Kuria Kimani, MP *-Chairperson*
2. Hon. Dr. Adan Keynan Wehliye, CBS, MP
3. Hon. David Mwalika Mboni, MP
4. Hon. George Sunkuyia Risa, MP
5. Hon. Joseph Munyoro, MP
6. Hon. Joseph Makilap Kipkoros, MP
7. Hon. CPA Julius Kipletting Rutto, MP
8. Hon. Dr. John Ariko Namoit, MP
9. Hon. Paul Kibichiy Biego, MP
10. Hon. Dr. Shadrack Mwiti Ithinji, MP

**ABSENT WITH APOLOGIES**

1. Hon. Amb. Benjamin Kipkirui Langat, CBS, MP *-Vice-Chairperson*
2. Hon. CPA. Joseph Maero Oyula, MP
3. Hon. Andrew Adipo Okuome, MP
4. Hon. Umul Ker Sheikh Kassim, MP
5. Hon. Mohamed Soud Machele, MP

**IN ATTENDANCE**

1. Mr. Benjamin Magut
2. Mr. Joshua Ondari
3. Mr. Benson Kamande
4. Mr. Salem Lorot
5. Mr. James Macharia
6. Mr. George Ndenjeshe
7. Ms. Nelly Ondieki
8. Ms. Joyce Wachera
9. Mr. Simon Ouko
10. Mr. Muchiri Mwangi

- COMMITTEE SECRETARIAT**
- Senior Clerk Assistant/Head of Secretariat
  - Clerk Assistant
  - Clerk Assistant III
  - Legal Counsel I
  - Media Relation Officer
  - Fiscal Analyst
  - Research officer III
  - Hansard Officer
  - Assistant Serjeant at arms
  - Audio Recording Officer

**MIN. NO. 181/2023: -**

**PRELIMINARIES**

In the absence of the Chairperson and Vice-chairperson at the time of starting the meeting, Members present elected Hon. David Mwalika Mboni, MP to chair the meeting, pursuant to the provisions of Standing Order No. 188. Hon. David Mwalika Mboni, MP then called the meeting to order at 10.27 am with a word of prayer.

MIN. NO. 182/2023:-

**ADOPTION OF THE REPORT ON  
THE VETTING OF NOMINEE FOR  
APPOINTMENT AS CHAIRPERSON,  
COMMISSION ON REVENUE  
ALLOCATION**

The Committee adopted the report after being proposed and seconded by Hon. Dr. John Ariko Namoit, MP and Hon. Dr. Shadrack Mwiti Ithinji, MP respectively.

MIN. NO. 183/2023:-

**ADOPTION OF THE REPORT ON  
THE PENSIONS (AMENDMENT)  
BILL (NATIONAL ASSEMBLY BILL  
44 OF 2022)**

The Committee adopted the report after being proposed and seconded by Hon. George Sunkuyia Risa, MP and Hon. Dr. John Ariko Namoit, MP respectively.

MIN. NO. 184/2023:-

**ADOPTION OF THE REPORT ON  
KENYA NATIONAL POPULATION  
POLICY FOR SUSTAINABLE  
DEVELOPMENT**

The agenda was deferred.

MIN. NO. 185/2023:-

**ADJOURNMENT**

The chairperson adjourned the meeting at fifty-three minutes past one o'clock.

Signed.....  


Chairperson

Date.....  
27/06/2023



**SUPPLIER PREQUALIFICATION NOTICE 2023-2025**

Kenya Women Microfinance Bank invites applications from interested, competent and eligible firms for pre-qualification for the under listed categories of goods, services and works for the period 2023 -2025.

NO	CATEGORY DESCRIPTION	NO	CATEGORY DESCRIPTION
<b>GENERAL</b>			
1	Supply of printed stationery	48	Provision of hotel accommodation services
2	Supply of rubber stamps and seals	49	Provision of general investigative services, security training and due diligence
3	Supply of non-printed stationery	50	Provision of real estate agents' services
4	Supply of branded promotional materials (mail bags, branded t-shirts etc.)	51	Provision of insurance brokerage services
5	Supply of staff uniform	52	Provision of insurance services (underwriters only)
6	Supply, installation and maintenance of signage and branding	53	Provision of payroll services
7	Supply of furniture, fittings and furnishings	54	Provision of outsourced labour services
8	Supply and maintenance of potted plants and flowers	55	Provision of towing services
	Supply and delivery of office consumables	56	Provision of security printing services (e.g. ATM card, cheque books)
	Supply of newspapers, periodicals and magazines	57	Provision of financial audit/tax services
11	Supply of drinking water and water dispensers	58	Provision of car hire services including taxis, buses and minibuses
<b>FACILITIES MANAGEMENT</b>			
12	Supply of hardware tools and equipment	59	Provision of OSHA audit services
13	Supply and maintenance of firefighting equipment and fire suppression systems	60	Provision of energy audit services
14	Supply and maintenance of generators	61	Provision of customer service survey services
15	Supply, installation and maintenance of ATM machines	62	Provision of translation services
16	Supply and maintenance of safes, fire resistant cabinets and strong room doors.	63	Provision for lease of motor vehicles
17	Supply of note and coin counters, fake note detectors/UV lights and shredders	<b>ICT EQUIPMENT AND RELATED SERVICES</b>	
18	Supply of tyres and tubes	64	Supply of toners and computer consumables
19	Supply of LPG, fuel cards and diesel	65	Supply and maintenance of ICT equipment (computers, laptops, routers etc.)
20	Supply, installation and maintenance of air conditioning, refrigeration services and data centre cooling services	66	Supply and installation of software licenses e.g. antivirus
21	Provision of office cleaning and sanitary services	67	Supply and installation of access control systems, intruder alarm, CCTV system and electric fencing
22	Provision of fumigation and pest control services	68	Provision for lease and maintenance of access control systems, intruder alarm and CCTV system and electric fencing
23	Provision of vehicle storage	69	Supply and maintenance of power back-up systems ups, and power stabilizers
24	Provision of garbage disposal services	70	Supply and maintenance of telecommunication equipment (routers, PABX etc.)
25	Provision of asset tagging services	71	Provision of structured cabling works and networks maintenance services
26	Provision of garage for repair and maintenance of bank vehicles	72	Provision of leased printers and copiers
<b>PROFESSIONAL SERVICES</b>			
27	Provision of major building construction works	73	Provision of software development services
28	Provision of major drainage and plumbing works	74	Provision of IT consultancy services
29	Provision of major electrical installation, repair and maintenance works	75	Provision of website development and maintenance services
30	Provision of minor construction works, repairs and partitioning	76	Provision for lease of office equipment e.g. laptops, computers
31	Provision and maintenance of mechanical ventilation system	77	Provision of ICT audit and cybersecurity assessment services
	Provision of architectural services	<b>MARKETING</b>	
33	Provision of interior design services	78	Provision of digital marketing services
34	Provision of mechanical engineering consultancy services	79	Provision of outdoor advertising services
35	Provision of electrical engineering consultancy services	80	Provision of print/media advertising services
36	Provision of civil structural engineers - consortium	81	Provision of PR & creatives services
37	Provision of quantity surveyor (QS) services	82	Provision of experiential marketing, communication and promotion services
38	Provision of air travel agency services (IATA registered)	83	Provision of research services
39	Provision of vehicle valuation services	<b>HR SERVICES</b>	
40	Provision of property and land valuation services	84	Provision of pre-employment screening and background check services.
41	Provision of international and local courier services	85	Provision of recruitment services
42	Provision of security guard services	86	Provision of HR consultancy services
43	Provision of cash-in-transit and offsite ATM management services	87	Provision of staff training Services
44	Provision of event management services	88	Provision of team building services
45	Provision of catering services	<b>LEGAL</b>	
46	Provision of car tracking services	89	Provision of auctioneering and repossession services
47	Provision of photography and videography services	90	Provision of debt collection services
		91	Provision of legal services (Kisii, Migori, Kisumu, Kakamega, Kitale, Eldoret, Nakuru, Kericho, Machakos, Emali, Kitui, Malindi, Mombasa, Diani, Nyeri, Embu, Meru, Thika, Nairobi)

The supplier prequalification exercise will be conducted online via:



Tendersure™ platform is secure, transparent and provides an efficient prequalification process. Interested suppliers may access and register on [www.tendersure.co.ke](http://www.tendersure.co.ke) under the "Available Jobs" tab. Access to the prequalification will be granted upon payment of a non-refundable fee of KES 3,000.00 per category. All payments will be made via an online payment platform during the application process. Available payment methods include M-PESA, Visa Card and MasterCard amongst others. The online prequalification exercise closes on 17<sup>th</sup> March 2023 at 10pm EAT.

In case of any inquiry kindly contact us at [help@tendersure.co.ke](mailto:help@tendersure.co.ke) or +254 709 557 000.

All existing suppliers are required to participate alongside prospective suppliers in order to be evaluated and considered.

All participants who duly complete the prequalification process online will be notified of the outcome.

Prequalification is not a guarantee for business opportunity, bidders will be invited to submit their quotations on need basis based on the opportunities available. Kenya Women Microfinance Bank reserves the right to accept or reject any bid in whole or in part at its discretion.

Kenya Women Microfinance Bank is licensed and regulated by the Central Bank of Kenya (CBK).



REPUBLIC OF KENYA

**THE NATIONAL ASSEMBLY**

**13<sup>TH</sup> PARLIAMENT - SECOND SESSION - 2023**

In the matter of consideration by the National Assembly of:-

1. The Land (Amendment) (No.2) (National Assembly Bill No. 40 of 2022)
2. The National Transport & Safety Authority (Amendment) (National Assembly Bill No. 43 of 2022)
3. The Pensions (Amendment) (National Assembly Bill No. 44 of 2022)
4. The Cancer Prevention & Control (Amendment) (National Assembly Bill No. 45 of 2022)
5. The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No. 46 of 2022)
6. The Geriatric Bill, (National Assembly Bill No. 50) of 2022.

**PUBLIC PARTICIPATION (SUBMISSION OF MEMORANDA)**

Pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3) of the National Assembly Standing Orders, the Clerk of the National Assembly hereby invites members of the public and relevant stakeholders to submit memoranda on the following Bills:

**The Land (Amendment) Bill (National Assembly Bill No. 40 of 2022)** sponsored by Hon. Simon King'ara, MP.

The principal objective of the Bill is to amend the Land Act, No. 6 of 2012 to provide for registration of public land and land set aside for public purpose.

**The National Transport & Safety Authority (Amendment) (National Assembly Bill No. 43 of 2022)** sponsored by Hon. Simon King'ara, MP.

The principal objective of the Bill is to amend the National Transport & Safety Act, No. 33 of 2012 to assign additional functions to the Authority to include the establishment of systems and procedures for the registration and licensing of two and three wheeled public motorcycle taxis.

**The Pensions (Amendment) (National Assembly Bill No. 44 of 2022)** sponsored by Hon. Abdul Dawood, MP.

The principal objective of the Bill is to amend the Pensions Act, Cap. 189 to provide for a timeline within which pension shall be payable to an officer.

**The Cancer Prevention & Control (Amendment) (No. 2) (National Assembly Bill No. 45 of 2022)** sponsored by Hon. Didmus Barasa, MP.

The principal objective of the Bill is to amend the Cancer Prevention & Control Act, 2012 to provide for training of health cadres in the specialized medical field of oncology, to include cancer treatment as part of the provision of primary healthcare and incorporate the use of e-health and telemedicine.

**The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No. 46 of 2022)** sponsored by Hon. Abdul Dawood, M.P.

The principal objective of the Bill is to amend the Public Service (Values and Principles) Act, 2015 to require all state organs in the national and county governments and state corporations to submit annual reports on details of human resource in constitutional commissions, independent offices and County Public Service Boards and County Assembly Service Boards.

**The Geriatric Bill (National Assembly Bill No. 50 of 2022)** sponsored by Hon. Gathoni Wamuchomba, M.P.

The principal objective of the Bill is to give effect to Article 57 of the Constitution by establishing a legal framework for the treatment of elderly persons.

The Bills were Read a First Time on Tuesday, 15<sup>th</sup> and Wednesday, 16<sup>th</sup> February, 2023 and pursuant to Standing Order 127(1) of the National Assembly Standing Orders, committed to Departmental Committees of the National Assembly as set out in the schedule hereunder:

NO.	BILL	COMMITTEE
1.	The Land (Amendment) (No.2) (National Assembly Bill No.40 of 2022)	Lands
2.	The National Transport & Safety Authority (Amendment) (National Assembly Bill No.43 of 2022)	Transport & Infrastructure
3.	The Pensions (Amendment) (National Assembly Bill No. 44 of 2022)	Finance & National Planning
4.	The Cancer Prevention & Control (Amendment) (No.2) (National Assembly Bill No. 45 of 2022)	Health
5.	The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No. 46 of 2022)	Labour
6.	The Geriatric Bill (National Assembly Bill No.50 of 2022)	Social Protection

Copies of the Bills are available at the National Assembly Table Office, or on [www.parliament.go.ke/the-national-assembly/house-business/bills](http://www.parliament.go.ke/the-national-assembly/house-business/bills)

The memoranda should be addressed to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to [cn@parliament.go.ke](mailto:cn@parliament.go.ke); to be received on or before Wednesday, 8<sup>th</sup> March, 2023 at 5.00 p.m.

**SAMUEL NJOROGE**  
CLERK OF THE NATIONAL ASSEMBLY

23<sup>rd</sup> February, 2023

*"For the Welfare of Society and the Just Government of the People"*

DDC  
Please deal  
Soli  
06/04/23



REPUBLIC OF KENYA

THE NATIONAL TREASURY AND ECONOMIC PLANNING

Telegraphic Address: 22921  
FINANCE - NAIROBI  
Fax No. 315779  
Telephone: 2252299

THE NATIONAL TREASURY  
P.O. Box 30007 - 00100  
NAIROBI  
KENYA

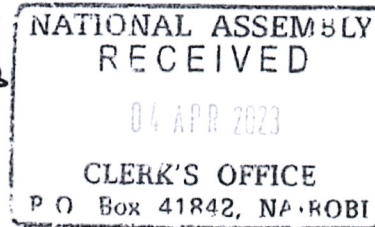
When replying please quote

REF: TNT/PENS/15/3/(189)

Date: 29<sup>TH</sup> March, 2023

Mr. Samuel Njoroge  
Clerk of the National Assembly  
Parliament Buildings  
NAIROBI

Benjamin Magut  
pls facilitate  
up to us  
11/4/23



Dear Mr Njoroge

**CONSIDERATION OF BILLS BY THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING**

Reference is made to your letter No. NA/DDC/F&NP/2023/025 dated 20<sup>th</sup> March, 2023 on the captioned subject.

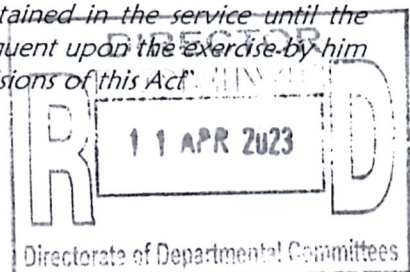
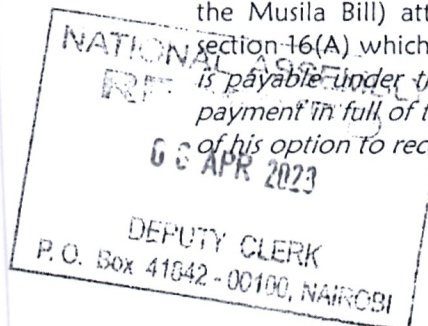
The Pensions (Amendment) Bill (National Assembly Bill No. 44 of 2022) sponsored by Hon. Didmus Baraza, MP seeks to provide for a timeline within which pension shall be paid to an officer.

The Bill seeks to amend section 6 of the Pensions Act Cap 189 by inserting the following new subsection immediately after subsection (1)-

(1A) The pension under subsection (1) shall be paid within ninety days from the date such pension becomes payable.

Our comments on the Bill are that:

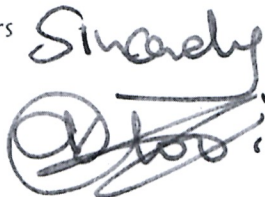
- 1) An amendment to the Pensions Act Cap 189 in the year 2003 (popularly known as the Musila Bill) attempted to address delay in pension payment by introducing section 16(A) which stated that:- "A person to whom a pension or other allowance is payable under this Act shall be entitled to be retained in the service until the payment in full of the gratuity payable to him consequent upon the exercise by him of his option to receive such gratuity under the provisions of this Act".



- 2) The pension payment process is dependent on various actors in the chain each with segregated mandates/responsibilities that impact on the timeframe for pension payment.
- 3) The retiree, or beneficiary of a deceased officer has a responsibility of applying for their pension dues by completing and submitting specific documents besides exercising the option for pension commutation and giving instructions on the bank account to which their pension benefits should be remitted.
- 4) Any delays on the part of a pensioner may occasion delays and especially in instances where family disputes and protracted succession litigation arise.
- 5) The second stakeholder is the employer. The employer is required to issue retirement notice to an employee one year in advance to enable them complete the requisite claim forms and submit them for processing and submission to the Pensions Department at least nine months prior to his/her retirement.
- 6) The Pensions Department being the administrator of the pension claims is the final player in the pension processing chain. It is expected that once a fully supported pension claim is submitted to the Pensions Department in the National Treasury, the claim would be finalized within the stipulated 90 days proposed in the Amendment Bill. It may be noted that the department is already processing and finalizing pension files within 90 days upon receipt of a fully supported pension claim.
- 7) However, release/transmission of the pension gratuity payment to the respective pensioners/beneficiaries bank accounts is dependent on availability of exchequer funding which in turn depends on the National Revenue inflows. It may be noted that delays in exchequer funding could pose to time bound disbursements.

Whereas the intended amendment is progressive, an absolute strict timeframe may expose the Government to possible litigation in instances where the threshold is not met. Such cases could lead to class action suits that loop in many claimants with the possibility of court awards amounting to huge decretal amounts.

Yours



**DR. CHRIS KIPTOO, CBS**  
**PRINCIPAL SECRETARY**

Copy to:

**Prof. Njuguna Ndung'u, CBS**  
Cabinet Secretary  
The National Treasury & Economic Planning  
**NAIROBI**