

**KERICHO COUNTY ASSEMBLY**

**THE HANSARD**

**Second Assembly**

**Fifth Session**

**Tuesday 2<sup>nd</sup> March, 2021**

*(The House met at 9.30 a .m.)*

*[Speaker (Hon. Dominic Rono) in the Chair]*

**PRAYERS**

**The Speaker (Hon. Dominic Rono):** Let's proceed!

**COMMUNICATION FROM THE CHAIR**

**The Speaker (Hon. Dominic Rono):** Honorable members we have received two important documents from the department of Finance and Economic Planning; this is the Kericho Debt Management Strategy Paper 2021. The contents of this letter is, the Public Finance Management (PFM) Section 123 states that on or before 28<sup>th</sup> February in each year, the County Treasury shall submit to the County Assembly a statement setting out the Debt Management Strategy of the County Government over the Medium Term with regards to its actual liability in respect to loans and its plan for dealing with those liabilities.

This paper is hereby forwarded for your necessary action.

So I will commit the County Debt Strategy Paper 2021 to the committee on Budget.

We have also received another communication from the department of Finance and Economic Planning; the reference of this letter is submission of the Kericho county Fiscal Strategy Paper 2021.

The public finance Management Act, 2012 section 117, states that the County Treasury shall prepare and submit to County Executive Committee the County Fiscal Strategy Paper for approval and the County Treasury shall submit the same to the County Assembly by 28<sup>th</sup> February of each year.

The paper is hereby forwarded for your necessary action.

So the County Fiscal Strategy paper of 2021 is hereby submitted to the Committee on Budget for them to look at it and then revert back to us.

### **NOTICES OF MOTION**

**The Speaker (Hon. Dominic Rono):** There is a notice with respect to the report by Committee on Governance, Labour and Social Welfare. Chairman!

You may give notice the Hon. Grace Koech on behalf of the Chair.

**Hon. Grace Koech:** Thank you Hon. Speaker for giving me this opportunity to give notice of the following motion: That this house approves the report of governance, labour and social welfare on the proposed establishment of the office of county attorney. Thank you.

### **MOTION**

**The Speaker (Hon. Dominic Rono):** The honorable Grace Koech you are standing in for the Chairman, please proceed and maybe what we can do is, because we all have this report we can start from page 5 which is 4.0

**Hon. Grace Koech:** That's 4.0?

**The Speaker (Hon. Dominic Rono):** Yes just on the observations and then you can go to the recommendations.

**Hon. Grace Koech:** Committee observations

The committee on Governance Labour and Social Welfare observed as follows:-

- i. That the County Government of Kericho needs the office of the County Attorney to guide the county government on all legal issues.
- ii. That the Office of the County Attorney is already anchored in law and hence it is the obligation of the County to establish the office.
- iii. That the procedure for the establishment of the offices in the County Public Service was followed.

Committee recommendations

The committee on Governance, Labour and Social Welfare recommends as follows: -

- i. That the establishment of the Office of the County Attorney is approved.
- ii. That the various departments of the County Government ensure that provisions of Section 62(4) of the County Government Act 2012 is not violated which states that: -  
*” If the County Public Service Board establishes an office and the concerned department fails to fill the vacancy for a period of twelve months after its establishment, the office shall stand abolished and the County Public Service Board shall not be required to make a decision to abolish that office”*
- iii. That when the office of the County Attorney is established, it should be captured in the approved county organizational Structure.

Acknowledgement

**Mr. Speaker Sir,** allow me to take this opportunity to thank all members of the committee on Governance, Labour and Social Welfare for their valuable input and contribution in

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consideration of the proposed establishment of the Office of the County Attorney. I sincerely take this opportunity to thank the offices of the Speaker and the Clerk for the support accorded to this Committee in the execution of its mandate.

Additionally, the committee also wishes to thank the County Public Service Board and the County Executive Committee Member for Public Service Management.

**Mr. Speaker Sir,**

On behalf of the Committee on Governance Labor and Social Welfare and pursuant to Standing Order No.194, it is my pleasant duty to present to this House the Committee's report of the proposed establishment of the office of the County Attorney for Kericho County for consideration and approval by this honorable House.

Thank You, on behalf of the chairman

**Hon. Anthony Ruto**

Chairman, Governance Labour and Social Welfare

**The Speaker (Hon. Dominic Rono):** Thank you who is seconding that?

**Hon. Grace Koech:** The Chairman himself is there.

*(Question proposed)*

**The Speaker (Hon. Dominic Rono):** The honorable Erick Bii and let's make it brief maybe in you take three minutes.

**Hon Erick Bii:** Thank you Mr. Speaker for this opportunity that you have given unto me just to contribute on this report on the establishment of the office of the county attorney. I have only

two important reasons that the establishment of this office is being guided by the law and I think we've been having a rough time as a County Government by not having the position of the attorney its important in the essence that this office of the county attorney will provide the employment to the people from this county. You have seen that there will be around 3 or 4 positions and I believe that as a representative of the youth there are several youth who are yearning to work in these offices looking for the employment. By establishing this office, it will be prudent and it will assist our youth to get employment. The third issue is the issue concerning the advisory that we've seen the county government led by the Kericho County Governor has been seeking the legal advice from other sectors. We believe that by establishing this office we shall be having our advisory from within the county and not wasting our funds maybe going to Nairobi looking for the legal counsel but we shall be having one at hand. So I support the establishment of this office thank you.

**The Speaker (Hon. Dominic Rono):** Thank you

*(Question put and agreed to)*

*(Adjournment)*

**The Speaker (Hon. Dominic Rono):** Honorable members we adjourn until 2:30pm in the afternoon. Thank you.

*(The house rose at 10:00am)*