

NAIROBI CITY COUNTY



NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – SECOND SESSION

REPORT OF THE SECTORAL
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

ON

BUDGET ESTIMATES FOR FY 2018/2019.

Clerks Chambers
Nairobi City County Assembly
City Hall Buildings
Nairobi

JUNE 2018

1.2 Committee Membership:

The Committee on Justice and Legal Affairs was constituted by the Assembly on 5th October, 2017 comprising of the following Members:-

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|---------------------------------------|-----------------|
| 1. Hon. Jayendra Malde, MCA | Chairman |
| 2. Hon. Moses Ogeto Nyangaresi, MCA | Vice - chairman |
| 3. Hon. Elias Otieno Okumu, MCA | |
| 4. Hon. Julius Njoka, MCA | |
| 5. Hon. Osman Khalif, MCA | |
| 6. Hon. Mwaura Samora, MCA | |
| 7. Hon. Sylvia Museiya, MCA | |
| 8. Hon. Doris Kanario, MCA | |
| 9. Hon. Anthony Kimemia , MCA | |
| 10. Hon. Elijah Mputhia, MCA | |
| 11. Hon. Wanjiru Kariuki, MCA | |
| 12. Hon. Elizabeth Nyambura, MCA | |
| 13. Hon. David Ayoi, MCA | |
| 14. Hon. Francis Otieno Ngesa, MCA | |
| 15. Hon. Jackline Apondi, MCA | |
| 16. Hon. Esther Nyangweso, MCA | |
| 17. Hon. Patrick Kanyangi Logedi, MCA | |
| 18. Hon. June Ndegwa, MCA | |
| 19. Hon. Stephen Gikonyo, MCA | |

Hon. Chairman,

This Report contains the deliberations of the Sectoral Committee on Justice and Legal Affairs on the Budget estimates for the FY 2018/2019 and its recommendations to the Budget and Appropriations Committee with respect to its oversight sectors.

Hon. Chairman

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the County Assembly for the support and services extended to the Members while considering the sector's Budget estimates for the FY 2018/2019.

I am grateful to the Members of the Committee who committed their time to accomplish this task. Special thanks to the secretariat for their support at all times.

1.3 Examination of the FY 2018/2019 Budget estimates with the relevant sectors

The Sectoral Committee on Justice and Legal Affairs considered the Budget Estimates 2018/2019 Fiscal Year in view of compiling a report to the County Assembly Finance, Budget and Appropriations Committee. The Committee further took into account the submissions of the County Executive and made the following observations during its meetings with the Chief Officers held on Tuesday, 12th June 2018 at the Members Lounge.

The Office of the Governor and Deputy Governor has requested for Kshs. 4.793billion for various purposes in the coming financial year, a value of which Kshs. 4.693 billion is recurrent expenditure while Kshs. 100million is for capital expenditure. This request represents a downward review of Kshs. 884million from the figure approved in the supplementary estimates.

A summary of estimates for various departments under the Governors offices are tabulated below.

Recurrent Expenditure

DEPARTMENT	BUDGET (Itemized) Kshs
Administration of County Affairs	379,820,577
County Executive	150,818,896
Sub-County Administration (Decentralization)	1,799,282,751
Audit	74,932,873
Legal Services	197,331,449
Procurement	87,426,293
Security and Safety Management (Investigation)	66,729,491
Inspectorate	1,774,854,629
Fire Services	162,376,996
Total	4,693,573,995

Development Expenditure

DEPARTMENT	BUDGET (Itemized) Kshs
Administration of County Affairs	25,000,000
County Executive	
Sub-County Administration	40,000,000
Audit	
Legal Department	

Security and Safety Management (Investigation)	11,600,000	0	0
Inspectorate	154,400,000	0	0
Fire Services	0	0	0
Total	506,000,000	2,390,417	0.47

2. The sectors' expenditure for nine months to 31st March 2018 was Ksh.3, 262,851,729 and Ksh.2, 390,417 on recurrent and development respectively. This represents 54.2% on recurrent and 0.5% on development.

✓ This raises serious concerns over the sectors ability to fully absorb it budgetary allocation and the Committee should seek to be apprised on the reasons for under expenditure.

2.0 FIRE AND DISASTER MANAGEMENT SUB-SECTOR

2.1 Approved CFSP versus Budget Estimates

The Committee noted that the Sector Budget Estimates corresponded with the approved County Fiscal Strategy Paper 2018/2019 and as recommended by the Budget and Appropriations Committee as compared in the following table:

	CFSP 2018/2019(Ksh.)	BUDGET ESTIMATES 2018/2019 (Ksh)
RECURRENT EXPENDITURE	4,606,773,783	4,693,573,955
DEVELOPMENT EXPENDITURE	100,000,000	100,000,000
TOTAL	4,706,773,783	4,793,573,955

The Fire and Disaster management has been allocated Kshs. 162,376,996 Million towards recurrent expenditure and Kshs. 10,000,000 Million towards development expenditure

3.0 CITY INSPECTORATE SECTOR

The City Inspectorate sector has been allocated a total of Ksh. 1,792,854,629 for the FY 2017/2018, under which; ksh. 1,774,854,629 is for recurrent vote and ksh. 18,000,000 for development vote all under the vote code: 5312000000

Delivery Unit	KPIs	KEY OUTPUT	PLANNED	TARGET FOR	2019/2020	2020/2021	BUDGET ALLOCATED
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4.0 SUB COUNTY ADMINISTRATION SECTOR

The Department's Budget allocation were as follows:-

A). Operations and Maintenance:-

In the FY 2017 the Department was allocated Kshs 167Million,

This FY 2018/19, the allocation is 67Million against our request of Ksh. 173M, and is expected to carry out the following activities:-

- i. Carry out public participations in all Wards and Sub Counties four times during the year which is estimated to cost 40Million. This is a constitutional mandate.
- ii. Office operations and maintenance imprest for the Headquarter and both Sub County and Ward offices. Budgeted Kshs 40 Million
- iii. Carry out trainings for the staff budget 12Million
- iv. Branding/uniforms for the Sub County Administrators budgeted for 9 Million
- v. Other running costs

The budget requirements surpasses the allocated 67M by almost three times. The allocations are therefore inadequate to enable the department to run effectively and efficiently.

(ii) Procure audit software(team mate and idea) Kshs.10,000,000.00

Justification: - To speed up Audit assignment.

- Procurement on going

(iii) Purchase of a motor vehicle Kshs.5,000,000.00

Justification: - For ease of mobility and cover a wider scope.

- Procurement process on going

1. Adjust the allocation in some the line items in the recurrent budget as follows:

S/No.	Budget Item	County Proposed Budget(Kshs.)	Audit Proposed Budget(Kshs.)	Justification
1	Risk awareness programme	0	15,000,000	To comply with PFM regulation of 2015(163) of adopting risk based Audit.
2	Board conference and committees	2,000,000	5,000,000	The PFM act sec 155(5) and PFM regulation 2015 clause 167(1) which require that each County government shall establish an audit committee and whose remuneration should be in accordance With SRC guideline.
	Training	3,500,00	5,000,000	To comply with HR manual and issue quality audit reports.
	Field Allowance	2,000,000	5,000,000	To facilitate auditors with resources on field visit.
	Extraneous allowance	500,000	1,500,000	To compensate officers in acting position.