

NAIROBI CITY COUNTY GOVERNMENT



NAIROBI CITY COUNTY ASSEMBLY

**REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON
CONSIDERATION OF THE SECOND SUPPLEMENTARY ESTIMATES FOR THE FY
2018/2019**

**Clerk's Chambers
Nairobi City County Assembly
City Hall Buildings
NAIROBI, KENYA**

NAIROBI CITY COUNTY ASSEMBLY

APRIL, 2019

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SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019



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1.0. PREFACE

1.02. Mandate of the Committee

01. The Sectoral Committee on Justice and Legal Affairs is one of the Committees of the Nairobi City County Assembly established under Standing Order 203 (1) whose mandate, pursuant to the Standing Order 206 (6) is to, among others;-

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;*
- b) study the programmes and policy objectives of departments and the effectiveness of the implementation;*
- c) study and review all county legislation referred to it;*
- d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with its stated objectives;*
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;*
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointments); and*
- g) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

02. In accordance with the Second Schedule of the Standing Orders (203), the Committee is mandated to consider matters of constitutional affairs, the administration of law and justice, including the elections, ethics, integrity and anticorruption and human rights and also oversees the following County Government Departments that fall under the **office of the Governor**, namely: -

- i) Administration and Support services(fleet management, Hospitality and Office Management, County Records, Printing and County Executive);*



- ii) Devolution and Sub- County Administration
- iii) Security and Compliance;
- iv) Legal Affairs; and
- v) Audit and Risk Management.

1.03. Committee Membership

The Committee comprises the following Members:-

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

1.04. Second Supplementary Estimates for the FY 2018-2019

03. On Wednesday, 10th April, 2019, the Deputy Majority Leader laid before the Assembly the Second Supplementary Estimates for the Financial Year 2018/2019



pursuant to the provisions of section 135 of the Public Finance Management Act.

04. Standing Order 228 provides that the Supplementary Estimates shall be deemed committed to the respective Sectoral Committees for scrutiny according to their mandates once it's laid before the Assembly and make recommendations to the Budget and Appropriations Committee.
05. The Budget Committee is required under Standing Order 222 to consult each Sectoral Committee while considering the Supplementary Estimates and table its report containing its recommendations to the County Assembly for consideration.
06. In accordance with the foregoing, the Sectoral Committee on Justice and Legal Affairs, examined the Supplementary Estimates with respect to the Sectors it oversees and held a meeting with respective Chief Officers on **26th April, 2019** to seek their views on the same.
07. Hon. Chairperson, this Report contains the deliberations of the Sectoral Committee on Justice and Legal Affairs on the Supplementary Estimates and its recommendations to the Select Committee on Finance, Budget and Appropriations.


1.05. Appreciation

08. Hon. Chairperson, 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 Supplementary Estimates. I am grateful for the Members of the Committee whose support enabled the Committee to accomplish this task. Special thanks to the secretariat for the support at all times.



09. On behalf of the Committee, I now have the honor and pleasure to present this Report on the Examination of the Supplementary Estimates 2018-2019 to the Select Committee on Finance, Budget and Appropriations for consideration.

Thank You.

SIGNED 

HON. JAYENDRA MALDE, MCA

CHAIRPERSON, JUSTICE AND LEGAL AFFAIRS COMMITTEE

DATE 08/05/2019



2.0. EXAMINATION OF THE SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019

10. On **Friday, 26th April 2019**, the Sectoral Committee on Justice and Legal Affairs held a meeting in which it examined the Supplementary Estimates for the FY 2018-2019 with regards to the **Legal Affairs department, City Inspectorate and Security sectors, Public Relations, Cabinet Affairs, Disaster management and Sub county administration** which fall under its mandate. In attendance were various respective Chief Officers and Directors.

2.01. Office of the Governor

11. The Office of the Governor comprises of the following Departments:-

- i) Administration and Support services;
- ii) Devolution and Sub- County Administration
- iii) Security and Compliance;
- iv) Legal Affairs; and
- v) Audit and Risk Management.

Office of the Governor and Deputy Governor supplementary II budget allocation is set at Kshs.5.355billion, from which Kshs.5.14billion goes to recurrent and Kshs.215million for development. This shows a total budget increment of Kshs.428million; this represents 8% increment of the approved revised budget. The recurrent budget is proposed to increase by Kshs.303M i.e. 6% increase and development by Kshs.125M i.e. 14% increase.

2.01. 1. Overview of the Supplementary Estimates for Devolution and Sub-County Administration

The sub-county administration sub sector is responsible for the coordination, management and supervision of the general administrative functions in the sub-county unit, including developmental activities to empower the community.

The supplementary budget has reduced both the recurrent budget and development budget at Kshs. 10.48 million and 15 million respectively.



1.

NAIROBI CITY COUNTY					
REVISED RECURRENT EXPENDITURE ESTIMATES 2018/2019					
OFFICE OF THE GOVERNOR & DEPUTY GOVERNOR					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Decentralization	1,765,595,751	1,782,763,971	452,405,766	-10,484,900	1,772,279,071
REVISED DEVELOPMENT EXPENDITURE ESTIMATES 2018/2019					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Decentralization	30,000,000	30,000,000	0	(15,000,000)	15,000,000

SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019



2.01. 1. Overview of the Supplementary Estimates for General Administration and support services

The General Administration and Support Services transforms the County Public Service in providing quality service and responding to emerging issues.

The supplementary budget has set aside Kshs.175 million for purchase of vehicles to enhance mobility of County Executive members and Kshs.10million provided for supply and installation of a back-up generator for City Hall wing to ensure non disruption of services due to power outages.

REVISED DEVELOPMENT EXPENDITURE ESTIMATES 2018/2019					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
County Headquarters	15,000,000	15,000,000	4,660,438	185,000,000	200,000,000

REVISED DEVELOPMENT EXPENDITURE ESTIMATES 2018/2019					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
County Headquarters	15,000,000	15,000,000	4,660,438	185,000,000	200,000,000

SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019



2.01. 1. Overview of the Supplementary Estimates for Legal Affairs

The Legal Affairs Department is committed to providing quality legal services to the County. We advise and ensure that sound bills are drafted and forwarded to the county assembly for enactment into County Laws.

The Department represents the County in Court and currently has over 3,000 active cases.

The supplementary budget has proposed an increase of Kshs.162.95M i.e. 83% increment from the earlier allocation of Kshs.196.83M to Kshs.366.18M for payment of legal fees and decretal sum to avoid accumulation of interest and issuance of Warrant of Arrests due to non-payment, Separation of legal fees and decretal fees payments votes and payment of external lawyers.

NAIROBI CITY COUNTY					
REVISED RECURRENT EXPENDITURE ESTIMATES 2018/2019					
OFFICE OF THE GOVERNOR & DEPUTY GOVERNOR					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Legal Department	196,831,449	203,233,569	106,649,408	162,948,500	366,182,069

2.01. 1. Overview of the Supplementary Estimates for Security and Compliance

The Security and Compliance Department is committed to enforce County laws and other delegated legislations and to provide security to all county installations, properties and VIP protection.

- The supplementary budget has proposed an increase of Kshs.169.2M i.e. 9% increase; that is from Kshs.1.91B to Kshs.2.074B for purchase of uniforms,

recruitment, procurement of specialized materials and procurement of surveillance motor vehicles.

REVISED RECURRENT EXPENDITURE ESTIMATES 2018/2019					
OFFICE OF THE GOVERNOR & DEPUTY GOVERNOR					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Inspectorate Department	1,746,959,812	1,910,718,684	216,192,035	162,900,000	2,073,618,684
Investigation Department	64,068,677	65,561,056	15,940,522	-3,075,000	62,486,056

REVISED DEVELOPMENT EXPENDITURE ESTIMATES 2018/2019					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Inspectorate Department	10,000,000	10,000,000	0	(10,000,000)	0
Investigation Department	3,000,000	3,000,000	0	(3,000,000)	0

SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019



2.01. 1. Overview of the Supplementary Estimates for Internal Audit and Risk Management

The internal audit and risk management department is committed to provide sustainable quality audit services.

REVISED RECURRENT EXPENDITURE ESTIMATES 2018/2019					
OFFICE OF THE GOVERNOR & DEPUTY GOVERNOR					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Audit	74,832,873	74,764,686	38,380,915	2,000,000	76,764,686

REVISED DEVELOPMENT EXPENDITURE ESTIMATES 2018/2019					
SUB-HEAD	Approved Estimates	Revised Estimates	Total Payment Commitments as at 9th April 2019	Adjustments (+/-)	Revised Budget II
	A	B	C	D	E=B+D
Audit	22,000,000	22,000,000	0	(12,000,000)	10,000,000

SECOND SUPPLEMENTARY ESTIMATES FOR THE FY 2018-2019



COMMITTEE OBSERVATIONS

The Committee made the following observations with respect to each Department:-

- i.) That the Sectors are key to the growth of the County and ensuring that the city is the preferred investment destination, hence they require adequate funding.
- ii.) That the supplementary budget has not adversely affected the budget for the two sectors and the proposed reallocations are necessary.

3.0. RECOMMENDATIONS

Hon. Chairman,

Having considered the Supplementary Budget Estimates 2017/2018 and satisfied with the rational for the review provided by the Sector, the sectoral Committee on Justice and Legal Affairs recommends that:

The Budget and Appropriations Committee adopts the proposal to review the County Approved Budget Estimates 2017/2018 as contained in the Supplementary Budget Estimates 2017/2018.

XXXXXXXXXXXXXXXXXXXXXXXXX END XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX



