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THE NAKURU COUNTY PUBLIC PARTICIPATION BILL, 2014

A Bill for

AN ACT of Nakuru County Assembly to give effect to paragraph 14 of part 2 of the Fourth Schedule of the Constitution and Part VIII of the County Governments Act; to encourage participation on matters of public interest and to dissuade persons from threatening, bringing or maintaining legal proceedings or claims for improper purposes that unjustifiably interfere with such participation; to establish modalities and platforms for public participation in the governance of the county; and to provide for matters connected therewith and incidental thereto.

ENACTED by the Nakuru County Assembly of as follows—

PART I— PRELIMINARY PROVISIONS

1. This Act may be cited as the Nakuru Public Participation Act, 2014 and shall come into operation on such date as the Governor may, by notice in the Nakuru County Gazette, proclaim and different dates may be appointed for different provisions.

2. (1) In this Act, except where the context otherwise requires—

“administrator” means sub-county administrator, ward administrator, village administrator

“Constitution” means the Constitution of Kenya, 2010;

“executive committee” means Nakuru county executive committee established in accordance with Article 176 of the Constitution;

“county Gazette” means a gazette published by the authority of the county government or a supplement of such gazette;
“government” means Nakuru county government;

“public participation” means communication or conduct aimed at influencing public opinion, or promoting or furthering lawful action by the public or by any government body, in relation to an issue of public interest, but does not include communication or conduct—

(a) in respect of which an information has been laid or an indictment has been preferred in a prosecution conducted by the Director of Public Prosecutions;
(b) that constitutes unlawful discrimination under Article 27 of the Constitution of Kenya;
(c) that constitutes a breach of any statute in Kenya;
(d) that contravenes any order of any court,
(e) that intentionally or recklessly causes damage to or destruction of real property or personal property,
(f) that intentionally or recklessly causes physical injury,
(g) that constitutes trespass to real or personal property,
(h) by way of advertising for commercial goods or services; or
(i) that is otherwise considered by a court to be unlawful or an unwarranted interference by the defendant with the rights or property of a person;

“the public/citizens/community”, when used in relation to public participation in this Act, means—

(a) the residents of the county;
(b) the rate payers of a particular city or municipality;
(c) any resident civic organisation or non-governmental, private sector or labour organization with an interest in the governance of the county, city or municipality;
(d) non-resident persons who because of their
The Nakuru County Public Participation Bill, 2014

3. (1) The purpose of this Act is to encourage public participation, and to dissuade persons from bringing or maintaining proceedings or claims for an improper purpose, by providing—

(a) an opportunity, at or before the trial of a proceeding, for a Respondent to allege that, and for the county executive committee to consider whether, the proceeding or a claim within the proceeding is brought or maintained for an improper purpose;

(b) a means by which a proceeding or claim that is brought or maintained for an improper purpose can be summarily dismissed;

(c) a means by which persons who are subjected to a proceeding or a claim that is brought or maintained for an improper purpose may obtain reimbursement for all reasonable costs and expenses that they incur as a result;

(d) a means by which punitive or exemplary damages may be imposed in respect of a proceeding or claim that is brought or maintained for an improper purpose;

(e) protection from liability if the communication or conduct complained of constitutes public participation;

(f) a means to preserve the right of access to the courts for all proceedings and claims that are not brought or maintained for an improper purpose; and

(g) a means to make the law of Nakuru County conform more nearly to Articles 10 and 33 of the Constitution of Kenya and International Covenant on Civil and Political Rights, and in particular Article 19 thereof, by better protecting the right to freedom of expression.

(2) Subject to Articles 1(4), 10, 201 and 232 (1) (e) of the Constitution, to establish a legislative framework to
give effect to—

(a) paragraph 14 of part 2 of the Fourth Schedule of the Constitution;

(b) the objects and principles of devolution set out under Article 174 (c) and (d) of the Constitution; and

(c) Part VIII of the County Governments Act, 2012.

Whenever there is a conflict between this Act and any other written law, having a bearing on achievement of the overriding objective of this Act as set out in subsection (1), the provisions of this Act shall prevail.

4. Subject to section 87 of the County Governments Act and other statutory provisions, public participation in the county government activities will be guided by the following principles—

(a) timely access to information, data, documents, and other information relevant or related to policy formulation and implementation;

(b) reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards;

(c) protection and promotion of the interest and rights of minorities, marginalized groups and communities and their access to relevant information;

(d) legal standing to interested or affected persons, organizations, and where pertinent, communities, to appeal from or, review decisions, or redress grievances, with particular emphasis on persons and traditionally marginalized communities, including women, the youth, and disadvantaged communities;

(e) reasonable balance in the roles and obligations of county governments and non-state actors in decision-making processes to promote shared responsibility and partnership, and to provide
complementary authority and oversight;

(f) promotion of public-private partnerships, such as joint committees, technical teams, and citizen commissions, to encourage direct dialogue and concerted action on sustainable development;

(g) recognition and promotion of the reciprocal roles of non-state actors’ participation and governmental facilitation and oversight;

(h) inclusion of the widest spectrum of the public;

(i) provision of information in formats accessible to a wide group of people including persons with disabilities and translate to local language where necessary;

(j) continuous civic education to sensitize the public on the importance of their involvement in public affairs;

(k) communication to participants on how their input affected the decision;

(l) adherence to the national values and principles of governance set out under Article 10 of the Constitution;

(m) adherence to the values and principles of public service set out by Article 232 of the Constitution;

(n) adherence to the principles of leadership and integrity set out in Chapter Six of the Constitution;

(o) recognition and respect of the differences between cultures and contributing to the recognition and value of each; and

(p) duty to act in good faith by abstaining from impartiality and anti-democratic conduct.

PART II—PUBLIC PARTICIPATION

5. A county government shall develop a system of governance that encourages participation by citizens in its affairs, and shall for that purpose—

(a) create appropriate conditions for participation in—
(i) the formulation and implementation of laws, policies and regulations;

(ii) the preparation, implementation and review of the integrated development plan;

(iii) the establishment, implementation and review of its performance management system;

(iv) the monitoring and review of its performance, including the outcomes and impact of its performance;

(v) the preparation of its budget; and

(vi) making of strategic decisions relating to delivery of service.

(b) contribute to building the capacity of—

(i) the citizens to enable them participate in the affairs of the county; and

(ii) sub-county administrators, ward administrators and village administrators and members of the staff to foster community participation.

(c) apply its resources, and allocate funds annually as may be appropriate for the implementation of paragraphs (a) and (b).

6. (1) Participation by the local public in the affairs of the county must take place through—

(a) decentralized structures for participation in terms of the sub-counties equivalent to the constituencies within the county established under Article 89 of the Constitution, the Wards within the county established under Article 89 of the Constitution and section 26, village units in each county as may be determined by the county assembly of the respective county, the urban areas and cities within the county established in accordance with the Urban Areas and Cities Act (No. 13 of 2011), and such other or further units as a county government may determine;
(b) other appropriate mechanisms, processes and procedures established by the county;
(c) sub-county administrators in accordance with Section 50 (3) (g) of the County Governments Act;
(d) ward administrators in accordance with Section 51 (3) (g) of the County Governments Act;
(e) village administrators in accordance with Section 52 (3)(a)(i) of the County Governments Act; and
(f) generally applying the provisions for participation as provided for in this Act.

(2) A county assembly must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the community, and must for this purpose provide for—

(a) the receipt, processing and consideration of petitions, complaints and suggestions lodged by members of the local community;
(b) notification and public comment procedures when a Bill is introduced in the County Assembly;
(c) public meetings and hearings by the appropriate decentralized unit and other political structures and political office bearers of the county, when appropriate;
(d) consultative sessions with locally recognized community organizations and, where appropriate, traditional authorities;
(e) report-back to the local community;
(f) information communication technology based platforms; and
(g) county calendar of events.

(3) A county assembly must ensure that the mechanisms, processes and procedures for citizen participation provide for participation by the widest sections of the public, and these may include—
(a) citizen forums;
(b) citizen juries and panels;
(c) focus group discussions;
(d) open days/ exhibitions;
(e) citizen care desks and information centers;
(f) establishing a TV station and community FM radio stations;
(g) broadcasting the County Assembly proceedings to the members of the public;
(h) notice boards/suggestion boxes/websites;
(i) service charters and social networking facilities;
(j) County magazines / monthly newsletters / Information bulletins;
(k) traditional media; and/or
(l) any other mechanism, process or procedure of citizen participation that may be suitable for the county.

(4) When establishing mechanisms, processes and procedures in terms of subsection (2) the county assembly must take into account the special needs of—

(a) people who cannot read or write;
(b) people with disabilities;
(c) marginalized groups and minorities;
(d) women and other disadvantaged groups.

7. (1) An administrator must communicate to his/her community information concerning—

(a) the available mechanisms, processes and procedures to encourage and facilitate community participation;
(b) the matters with regard to which community participation is encouraged;
(c) the rights and duties of members of the local
community; and
(d) county governance, management and development.

(2) When communicating the information mentioned in subsection (1), an administrator must take into account—
(a) language preferences and usage in the community; and
(b) the special needs of people who cannot read or write.

PART III—PUBLIC COMMUNICATION

8. (1) When anything must be notified by an administrator through the media to the local community in terms of this Act or any other applicable legislation, it must be done—
(a) in the local newspaper or newspapers of its area;
(b) in the newspaper or newspapers circulating in its area and determined by the county assembly as a newspaper of record; and
(c) by means of radio or television broadcasts covering the area of the community.

(2) Any such notification must be in the official languages and having regard to language preferences and usage of the area.

(3) A copy of every notice that must be published at least twenty one (21) days before the meeting in the County Gazette or the media in terms of this Act or any other applicable legislation must be displayed at the sub-county or ward or village offices.

(4) A notice must indicate the time, date and venue of the meeting.

(5) When the administrator invites the local community to submit written comments or representations on any matter before the county assembly, it must be stated in the invitation that any person who cannot write may come during office hours to a place where a staff member of the county assembly named in the invitation will assist that
person to transcribe that person's comments or representations.

(6) (a) When an administrator requires a form to be completed by a member of the local community, a staff member of the county assembly must give reasonable assistance to persons who cannot read or write, to enable such persons to understand and complete the form;

(b) If the form relates to the payment of money to the county assembly or to the provision of any service, the assistance must include an explanation of its terms and conditions.

9. (1) All documents that must be made public by the county in terms of the requirement of this Act, the Public Finance Management Act or other applicable legislation, must be conveyed to the local community—

(a) by displaying the documents at the county's head and satellite offices and libraries;

(b) by displaying the documents on the county's official website, if the county has a website as envisaged by section 10; and

(c) by notifying the local community, in accordance with section 8, of the place, including the website address, where detailed particulars concerning the documents can be obtained.

(2) If appropriate, any notification in terms of subsection (1) (c) must invite the local community to submit written comments or representations to the county in respect of the relevant documents.

10. (1) Each county must—

(a) establish its own official website if the county decides that it is affordable; and

(b) place on that official website information required to be made public in terms of this Act and the Public Finance Management Act.

(2) If a municipality decides that it is not affordable for it to establish its own official website, it must provide the information in terms of legislation referred to in subsection
(1) (b) for display on an organized local government website sponsored or facilitated by the National Treasury.

The Clerk must ensure that the county’s official website is maintained and regularly updated if in existence, or provide the relevant information as required by subsection 2.

PART IV—SUB-COUNTY CITIZEN FORUMS

11. (1) A Sub-County Citizens Forum shall be established at the sub-county level to enable direct citizen engagement in planning and budgeting, implementation and monitoring of development projects.

(1) The Sub-County Citizens Forum shall comprise citizen ward representatives, Civil Society Organization’s representatives, community and religious leaders.

(2) Technical county government officers and development partners may sit on the forum as ex-officio members.

(4) The Sub-county Citizens County Forum shall be headed by the Sub-County Administrator.

(5) The Sub-County Citizens Forum shall have powers to form committees for specific functions to address issues of allocation of funds, audit, and procurement among others.

(6) The officials of the Sub-County Citizens Forum shall be appointed by the County Executive Committee.

(7) The County Executive Committee shall publish the names of the Sub-County Citizens Forum in the County Gazette and the local newspapers and shall invite public opinion on the matter.

(8) A code of conduct shall govern the members of the forums and their committees.

12. (1) The Sub-County Citizens Forum meetings shall be open to all members of the public.

(2) The County Assembly shall ensure that a member of the Assembly attends at least three of the Sub-County Citizens Forum meetings.

(3) A calendar of all Sub-County Citizens Forum
meetings shall be maintained and publically disseminated.

(4) The Sub-County Citizens Forum shall facilitate the convening of a citizens' participation forum to discuss and give views on—

(a) issues of interests in the sub-county;

(b) the implementation of county policies and plans in the sub-county;

(c) the administration and functioning of the sub-county; or

(d) the delivery of services by the county public service in the sub-county.

(5) No meeting shall be convened for the purpose of promoting, opposing or discussing the election of any person as a member of that County Assembly.

(6) Nothing in this section shall be construed as derogating from the provisions of any other written law relating to the holding of public meetings.

13. The Sub-County Citizens Forum shall have the power to petition the County Assembly.

14. (1) The Sub-county Citizens Forum may delegate roles, responsibilities and powers to the sub-committees.

(1) The Sub-County Citizens Forum shall establish a citizen oversight committee to oversee sub-county and county project implementation.

(2) The forum shall also establish the sub-county Public Audit Sub-Committee to audit the implementation of the sector sub-county projects.

The Sub-County Citizens Forum and committees shall have the right to access all information held by the county executive.

15. (1) The Sub-County Citizens Forum shall—

(a) review and recommend annual prioritized projects;

(b) transmit the final prioritized project list which shall constitute the annual county plan, to the county executive for approval;
(c) receive the county implementation status reports on a quarterly basis which status report shall capture all allocations, expenditure, projects, status;

(d) receive county expenditure reports prepared by the county executive;

(e) prepare quarterly oversight report providing comments or reactions to the implementation status report;

(f) submit any arising complaints to the county executive and assembly for follow up;

(g) report back to the community on the responses to the complaints made;

(h) receive annual monitoring reports prepared by the county sectoral offices;

(i) receive citizen monitoring reports from the oversight committee;

(j) make recommendations based on the monitoring reports and forward the same to the county executive;

(k) prepare and submit an annual report to the Governor for submission to the county assembly on the status of public participation in the affairs of county governance.

PART V—WARD CITIZENS FORUMS

16. (1) Ward Citizens Forums shall be established at the ward to enable direct citizen engagement in planning and budgeting, implementation and monitoring of development projects.

(2) The Ward Citizens Forum shall comprise ward residents, Civil Society Organizations working in the ward, religious bodies and community leaders.

(3) Technical county government officers and development partners may sit on the forum as ex-officio members.

(4) The Ward Citizens Forum shall be headed by the Ward Administrator.
(5) The Ward Citizen Forum shall nominate two ward representatives to represent the ward at the Sub-County Citizens Forum.

(6) The Ward Citizens Forum shall have power to petition the county assembly directly.

(7) A code of conduct shall govern the members of the forums and their committees.

(8) The forums and its committees will be representative of all members of society including marginalized groups and persons with disabilities.

(9) The convener of the forum must ensure that the forum is fully publicized to enable attendance and participation of a wide section of the population, including marginalized groups and communities.

17. (1) The Ward Citizens Forum meetings shall be open to all members of the public.

(2) The County Assembly shall ensure that a member of the Assembly attends at least three of the Ward Citizens Forum meetings.

(3) A calendar of all Ward Citizens Forum meetings shall be maintained and publically disseminated.

(4) The Ward Citizens Forum shall facilitate the convening of a citizens’ participation forum to discuss and give views on—

(a) issues of interests in the ward;

(b) the implementation of county policies and plans in the ward;

(c) the administration and functioning of the ward; or

(d) the delivery of services by the county public service in the ward.

(5) No meeting shall be convened for the purpose of promoting, opposing or discussing the election of any person as a member of that County Assembly.

(6) Nothing in this section shall be construed as derogating from the provisions of any other written law relating to the holding of public meetings.
(7) The forums shall be open to all citizens of the ward who desire to attend and citizens shall be allowed to speak through representatives or directly.

(8) The convener of the forum must ensure that the forum is fully publicized to enable attendance and participation of a wide section of the population, including marginalized groups and communities.

18. The ward citizens forum shall—

(a) review and recommend annual ward prioritized projects;
(b) transmit the final prioritized project list which shall constitute the annual county plan, to the Sub-County Citizen's Forum;
(c) receive the ward implementation status reports on a quarterly basis which status report shall capture all allocations, expenditure, projects, status;
(d) receive ward expenditure reports;
(e) prepare quarterly oversight report providing comments or reactions to the implementation status report;
(f) submit any arising complaints to the county executive and assembly for follow up;
(g) report back to the community on the responses to the complaints made;
(h) receive annual monitoring reports prepared by the ward sectoral offices;
(i) receive citizen monitoring reports from the ward oversight committee;
(j) make recommendations based on the monitoring reports and forward the same to the county executive; and
(k) prepare and submit an annual report for submission to the county assembly on the status of public participation in the affairs of county governance.
PART VI—VILLAGE CITIZENS FORUMS

19. (1) Village Citizens Forums shall be established at the village to enable direct citizen engagement in planning and budgeting, implementation and monitoring of development projects.

(2) The Village Citizens Forum shall comprise village residents, Civil Society Organizations working in the village, religious bodies and community/traditional leaders.

(3) The Village Citizens Forum shall nominate two village representatives to represent the village at the Ward Citizens Forum.

(4) The Village Citizens Forum shall have power to petition the county assembly directly.

(5) A code of conduct shall govern the members of the forums and their committees.

(6) The forums and its committees will be representative of all members of society including marginalized groups such as persons with disabilities.

(7) The convener of the forum must ensure that the forum is fully publicized to enable attendance and participation of a wide section of the population, including marginalized groups and communities.

20. (1) The Village Citizens Forum meetings shall be open to all members of the public.

(2) The County Assembly shall ensure that a member of the Assembly attend at least three of the Village Citizens Forum meetings.

(3) A calendar of all Village Citizens Forum meetings shall be maintained and publically disseminated.

(4) The Village Citizens Forum shall facilitate the convening of a citizens’ participation forum to discuss and give views on—

   (a) issues of interests in the village;

   (b) the implementation of county policies and plans in the village;

   (c) the administration and functioning of the
village; or

(d) the delivery of services by the county public service in the village.

(5) No meeting shall be convened for the purpose of promoting, opposing or discussing the election of any person as a member of that County Assembly.

(6) Nothing in this section shall be construed as derogating from the provisions of any other written law relating to the holding of public meetings.

(7) The forums shall be open to all citizens of the village who desire to attend and citizens shall be allowed to speak through representatives or directly.

(8) The convener of the forum must ensure that the forum is fully publicized to enable attendance and participation of a wide section of the population, including marginalized groups and communities.

21. The Village Citizens Forum shall—

(a) review and recommend annual village prioritized projects;
(b) transmit the final prioritized project list which shall constitute the annual county plan, to the Ward Citizens Forum;
(c) receive the county implementation status reports on a quarterly basis which status report shall capture all allocations, expenditure, projects, status;
(d) receive county expenditure reports;
(e) prepare quarterly oversight report providing comments or reactions to the implementation status report;
(f) submit any arising complaints to the county executive and assembly for follow up;
(g) report back to the community on the responses to the complaints made; and
(h) prepare and submit an annual report for submission to the county assembly on the status of public participation in the affairs of county governance.
PART VII—PUBLIC PARTICIPATION AND AFFIRMATIVE ACTION

22. The Clerk shall ensure that the county government and its entities put in place affirmative action programmes to ensure that minorities and marginalised groups—

(a) participate in all matters that affect them and are represented in governance and other spheres of life; and

(b) are provided with special opportunities in all areas of economic, educational, social, religious and political fields.

23. (1) The Clerk to the County Assembly in consultation with the relevant County Executive Committee member shall co-ordinate and monitor public participation activities in the sub-county, ward and village levels.

(2) The Clerk shall facilitate and oversee the effective coordination of citizen participation and shall—

(a) ensure to inform the public on whether financial resources correspond to the nature and scope of the public participation planned;

(b) ensure that there is sufficient and adequately trained staff to carry out planned public participation;

(c) ensure that the sub-counties, wards and villages have clear and reasonable timelines for public input and comment and that these timelines are communicated to the participants;

(d) ensure that the sub-counties, wards and villages have established a feedback process to the public including opportunities for the public to forward additional comments or input to the decision taken;

(e) develop an evaluation framework to the public participation plan;

(f) advice the county executive committee on matters of policy relating to public participation;
(g) ensure that the public, affected groups, and stakeholders are informed of the results of the public participation process and how their input was used in the decision taken;

(h) prepare and submit reports to the County Assembly on the status of public participation implementation under this Act;

(i) perform any other function as may be assigned by legislation.

PART VIII—MISCELLANEOUS

24. The County Executive Committee shall oversee the performance of the activities of the Clerk under this Act and may, in writing, give such officer directions on matters of policy not inconsistent with the provisions of this Act.

25. (1) The administrators shall ensure that all important information affecting the county/sub-county/ward/village is published and publicized, within their mandate.

(2) A person may request for information in public interest.

(3) A request for information under subsection (2)—

(a) shall be addressed to the Clerk or such other person as the County Executive Committee may designate for that purpose;

(b) may, where the Clerk incurs expense in providing the information, be subject to payment of a reasonable fee; and

(c) may be subject to confidentiality requirements within reasonable statutory requirements.

(4) Subject to the provisions of Article 35 of the Constitution and the law relating to freedom of information and data protection, the Clerk may decline to give information to an applicant where—

(a) the request is unreasonable in the circumstances; or

(b) the applicant fails to satisfy any confidentiality
requirements.

(5) The right of access to information under Article 35 of the Constitution shall be limited to the nature and extent specified under this section.

26. Subject to section 91 of the County Governments Publicity Act, the administrators and the Clerk shall, in such manner as they consider appropriate, publish a notice for public information specifying—

(a) the location of their respective offices; and
(b) their address or addresses, telephone numbers and other means of communication or contact.

27. (1) Any person who attempts to influence the administrator or the Clerk or any other staff member or an agent of a county not to enforce an obligation in terms of this Act, any other applicable legislation or by-law or decision, is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding two years.

(2) An administrator or the Clerk or any other staff member or an agent of a county who accedes to an attempt mentioned in subsection (1), is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding two years.

28. (1) The executive committee member responsible for matters relating to information may, in consultation with the administrators and the County Development Officer, make regulations for the better carrying into effect of the provisions of this Act.

(2) The executive committee member may make regulations or issue guidelines concerning—

(a) minimum standards for county, including minimum standards relating to funding, when implementing the provisions of this Act; and
(b) any matter that may facilitate—

(i) the participation of the local community in the affairs of the county; or
(ii) the application of this Act.
When making regulations or issuing guidelines to provide for or to regulate the matters of this Act, the executive committee member must take into account the capacity of the county and decentralized units therein to comply with those matters.

**FIRST SCHEDULE**

**PUBLIC PARTICIPATION GUIDELINES**

The following guidelines shall guide the administrators while conducting public participation activities:

1. Build a realistic timeframe for the consultation, allowing reasonable period for each stage of the process.

2. Be clear as to the type of the public, community or profession to be consulted, the issues or matter for consultation and for what specific purpose.

3. Ensure that the consultation document is as simple and concise as possible, providing the summary of the issues or matter for consultation and clearly setting out the questions to be address.

4. Publish and distribute the documents as widely as possible, including but not limited to providing hard copies, television advertisements, websites, community radio announcements and traditional media.

5. Ensure that all responses are carefully and open-mindedly analysed and the results made widely available to the public, including an account of the views expressed and the reasons for the decisions taken.

6. Disclose all information relevant for the public to understand and evaluate the decision.

7. Ensure that stakeholders have fair and equal access to the public participation process and their opportunity to influence decisions.

8. Ensure that all commitments made to the public, including those by the decision-maker, are made in good faith.

9. Undertake and encourage actions that build trust and credibility for the process among all the participants.

10. Be personally responsible for the validity of all data collected, analyses performed, or plans developed by it or under its direction.

11. Ensure that there is no misrepresentation of work performed or that was performed under the relevant body's direction.

12. Examine all of its relationships or actions, which could be legitimately
interpreted as a conflict of interest by clients, officials, the public or peers.

13. Should not engage in conduct involving dishonesty, fraud, deceit, misrepresentation or discrimination.

14. Should not accept fees wholly or partially contingent on the client’s desired result where that desired result conflicts with its professional judgment.

MEMORANDUM OF OBJECTS AND REASONS

The objective of this Bill is to provide a legislative framework through residents of Nakuru County can effectively participate in government and governance processes within the County.

The Bill is divided into eight (8) parts. The first part provides for citation and commencement of the Bill; interpretation of some the key words and phrases used in the Bill; objects and purposes of the Bill; in addition to the principles guiding application of the Bill.

The second part provides for public participation and how the County Government shall develop a system of governance that encourages participation by citizens. Clause six (6) provides for mechanisms, processes and procedures for public participation while clause seven (7) provides for communication of information concerning public participation.

Part four (4), five (5) and six (6) provides for the establishment and composition of various for a devolving public participation structures to the Sub-county, Ward and Village levels.

Part seven (7) under clause twenty two (22) requires that the Clerk ensures that the county government and its entities put in place affirmative actions programmes to ensure that marginalized groups’ public participation. Part nine (8) of the Bill carries the miscellaneous provisions.

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 24th March, 2014.

HON. SAMUEL WAITHUKI,
Chairman, Committee on Justice and Legal Affairs.