

THE GOVERNMENT FINANCIAL MANAGEMENT ACT

(No. 5 of 2004)

IN EXERCISE of the powers conferred by section 26 of the Government Financial Management Act, the Minister for Finance makes the following Regulations:—

THE GOVERNMENT FINANCIAL MANAGEMENT (HEALTH
SECTOR SERVICES FUND) (AMENDMENT)
REGULATIONS, 2009

1. These Regulations may be cited as the Government Financial Management (Health Sector Services Fund) (Amendment) Regulations, 2009.

2. The Government Financial Management (Health Sector Services Fund) Regulations in these Regulations referred to as the “principal Regulations” are amended in Regulation 2 by—

Sub. Leg.

(a) deleting the definition of “health facility” and substituting therefor the following new definition—

“health facility means a health centre, dispensary or a nursing home and includes the equivalent registered faith based health facilities”.

(b) deleting the definition of “Minister” and substituting therefor the following new definition—

“Minister” means the Minister for the time being responsible for Public Health and Sanitation”.

(c) deleting the definition of “officer administering the Fund” and substituting therefor the following new definition—

“officer administering the Fund” means the accounting officer of the ministry for the time being responsible for Public Health and Sanitation”.

3. The principal Regulations are amended in regulation 5 by deleting paragraph (1) and substituting therefor the following new paragraph—

“(1) There are established Health Centre and Dispensary Management Committees whose composition and functions are as specified in the Schedule”.

4. The principal Regulations are amended in regulation 6 (2) by—

(a) deleting subparagraph (b) and substituting therefor the following new sub-paragraph—

“(b) the Permanent Secretary of the Ministry for the time being responsible for matters relating to Public Health and Sanitation or his representative duly nominated by him in writing”.

(b) deleting the words “Director of Medical Services” appearing in sub-paragraph (d) and substituting therefor the words “Director of Public Health and Sanitation”.

(c) inserting a new item after item (iii) appearing in subparagraph (e) as follows—

“(iv) one who shall be nominated by Health Non-Governmental Organizations Network”.

5. The principal Regulations are amended by inserting a new regulation immediately after Regulation 7 as follows—

“7A. The National Committee may delegate its functions specified under Regulation 7 (a) to an appropriate person where it deems necessary”.

6. The principal Regulations are amended in regulation 11 by deleting the word “health” appearing at the end of the regulation 11 and substituting therefor the words “Public Health and Sanitation”.

7. The principal Regulations are amended by deleting the Schedule and substituting therefor the following new Schedule:

SCHEDULE (r. 5)

COMPOSITION AND FUNCTIONS OF HEALTH FACILITIES MANAGEMENT COMMITTEES

Health Centre and Dispensary Health Facilities Management Committees:

1. The total membership of each committee shall be at least seven and not more than nine members.

2 (1) Each Committee shall consist of—

(a) a representative from the provincial administration in the area of jurisdiction;

(b) the person in charge of the health facility who, shall be the secretary;

- (c) the District Medical Officer of Health or his representative duly nominated by him in writing;
- (d) the person in charge of the local authority health facilities or the area councillor; and
- (e) the following persons, who shall be residents of the area of jurisdiction, appointed by the Minister or any other person authorized by him in writing—
 - (i) one person who shall have knowledge and experience in finance and administration; and
 - (ii) four persons of whom three shall be women

(2) Each committee shall appoint a chairman, who shall not be an ex-officio, from among its members.

(3) A member of a committee, apart from the ex-officio, shall hold office for a period of three years and shall be eligible for re-appointment for one further term.

(4) A committee may, if necessary, appoint sub-committees that shall carry out specific functions.

(5) A committee shall meet at least four times a year and shall maintain records of its deliberations.

(6) The quorum for the meeting of a committee shall be five of all the members including the secretary.

(7) A committee shall be responsible to the officer administering the Fund.

3. Each committee shall—

- (a) supervise and control the administration of the funds allocated to the facilities;
- (b) open and operate a bank account at a bank to be approved by the Minister for the time being responsible for finance;
- (c) prepare work plans based on estimated expenditures;
- (d) cause to be kept basic books of accounts and records of accounts of the income, expenditure, assets and liabilities of the facility as prescribed by the officer administering the Fund;
- (e) prepare and submit certified periodic financial and performance reports as prescribed; and
- (f) cause to be kept a permanent record of all its deliberations”.

Dated the 27th May, 2009.

UHURU KENYATTA,
Deputy Prime Minister
and Minister for Finance.

Functions of the
Committees