

SPECIAL ISSUE

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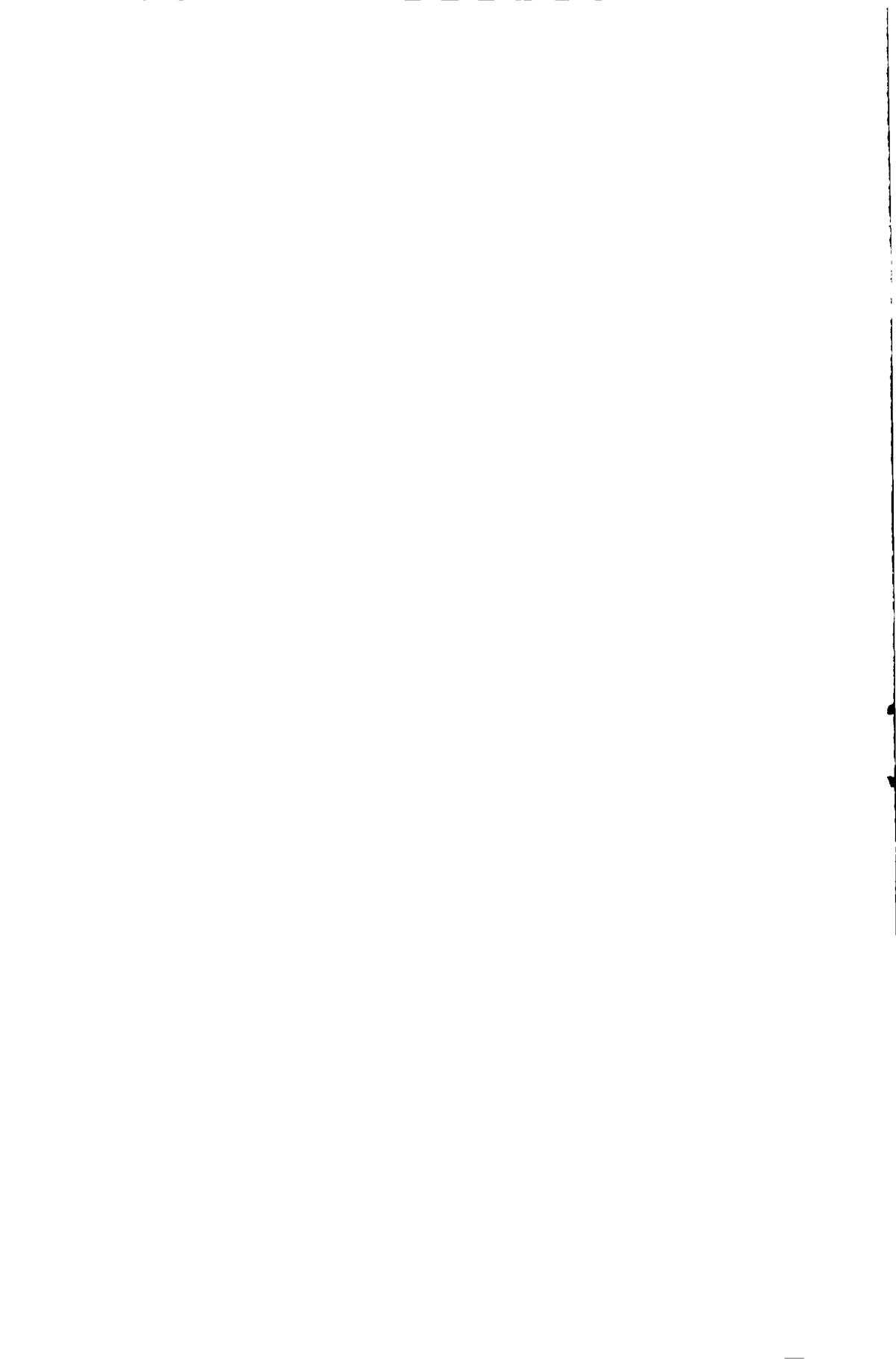
KENYA GAZETTE SUPPLEMENT

ACTS, 2014

NAIROBI, 4th August, 2014

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**THE COUNTY GOVERNMENTS (AMENDMENT)
ACT, 2014**

No. 13 of 2014

Date of Assent: 30th July, 2014

Commencement Date: 18th August, 2014

AN ACT of Parliament to amend the County Governments Act, 2012

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the County Governments (Amendment) Act, 2014.

Short title

2. The County Governments Act, 2012, hereinafter referred to as the “principal Act”, is amended by inserting the following new section immediately after section 91

Amendment of
No 17 of 2012

Establishment of
County Development
Boards

91A (1). There is established, for each county, a board to be known as the County Development Board, consisting of the following persons—

- (a) the member of the Senate for the county elected under Article 98(1)(a) of the Constitution, who shall be the chairperson of the Board and convener of the Board’s meetings;
- (b) the members of the National Assembly elected under Article 97(1)(a) of the Constitution representing the constituencies located in the county;
- (c) the woman member of the National Assembly for the county elected under Article 97 (1) (b) of the Constitution;
- (d) the governor, as the chief executive officer of the county government, who shall be the vice-chairperson

of the Board, and in his absence, the deputy governor of the county shall be the vice-chairperson;

- (e) the deputy governor of the county;
- (f) the leader of the majority party in the county assembly;
- (g) the leader of the minority party in the county assembly;
- (h) the chairperson of the county assembly committee responsible for finance and planning;
- (i) the chairperson of the county assembly committee responsible for budget;
- (j) the chairperson of the County Public Service Board, who shall be an *ex-officio* member;
- (k) the County Secretary, who shall be the secretary of the Board and shall also provide Secretariat services to the Board, as an *ex officio* member;
- (l) the County Commissioner, as an *ex-officio* member; and
- (m) the head of a department of the national government or the county government or any other person invited by the Board to attend a specific meeting of the Board.

(2) The County Development Board, for each county, shall—

- (a) provide a forum, at the county level, for consultation and coordination between the national government and the county governments on matters of development and projects in accordance with the Constitution and, more specifically, Article 6(2), Article 10 and Article 174 of the Constitution;

- (b) consider and give input on any county development plans before they are tabled in the county assembly for consideration;
- (c) consider and give input on county annual budgets before they are tabled in the county assembly for consideration;
- (d) consider and advise on any issues of concern that may arise within the county.

(3) The quorum for any meeting of the County Development Board shall be one-third of all the members of the Board and for the purposes of this section, an immediate former member shall remain a member of the Board until a new member is elected or appointed, as the case may be.

(4) Meetings of the County Development Board shall be held at the County headquarters at least once in each quarter.

(5) In the absence of the chairperson, the vice-chairperson shall preside over the meetings of the Board, and in the absence of the chairperson and the vice-chairperson, the Board shall elect a member to chair the meeting.

(6) County Development Boards shall be constituted within sixty days after the date of a general election.

(7) Despite sub-section (6), a County Development Board shall be established in each county within thirty days of the commencement of this Act.

3. The principal Act is amended in section 91 by deleting paragraph (f).

Amendment of
No. 17 of 2012

4. The principal Act is amended by inserting the following new sections immediately after the proposed new section 91A—

Insertion of new
clause 91B in
No.17 of 2012

No. 13

Operational
expenses

91B. The operational expenses in respect of the County Development Board shall be provided for in the annual estimates of the revenue and expenditure of the respective county government.

Offence of
obstructing or
hindering the
County
Development
Board

91C. Any person who knowingly and unlawfully obstructs, hinders, undermines or prevents the County Development Board from discharging its functions under this Act commits an offence and is liable, on conviction, to punishment by a fine not exceeding one million shillings or imprisonment for a term not exceeding one year, or both.



