



THE COUNTY ASSEMBLY OF THARAKA NITHI

SECOND ASSEMBLY – (FOURTH SESSION)

ORDER PAPER

TUESDAY, AUGUST 11TH, 2020 AT 9.30 A.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the appendix)
6. Notices of Motion (as listed in the appendix)
7. Statements (as listed in the appendix)
8. *****THE THARAKA NITHI COUNTY PRE-PRIMARY EDUCATION BILL, 2020**
(First Reading)
9. *****THE THARAKA NITHI COUNTY LAWS INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL, 2020**
(First Reading)
10. *****THE THARAKA NITHI COUNTY DISASTER MANAGEMENT BILL, 2020**
(First Reading)
11. *****THE THARAKA NITHI COUNTY TEA BILL, 2019**
(Second Reading)
12. **COMMITTEE OF THE WHOLE**
*****THE THARAKA NITHI COUNTY TEA BILL, 2019**
(Chairperson- Committee on Agriculture, Livestock and Fisheries)

13. *****THE THARAKA NITHI COUNTY TEA BILL, 2019**

(Third Reading)

...../Notice of Amendments

(O.P 031)

TUESDAY, AUGUST 11, 2020

(095)

NOTICE OF AMENDMENTS

*****THE THARAKA NITHI COUNTY TEA BILL, 2019**

(Chairperson- Committee on Agriculture, Livestock and Fisheries)

NOTICE is given that the Chairperson, Committee on Agriculture, Livestock and Fisheries, intends to move the following amendments to The Tharaka Nithi County Tea Bill, 2020 at the Committee Stage—

1. Clause 4 (1) be amended by deleting the word ‘Compromise’ and replace therefore with ‘Comprise’
2. Part V be amended by inserting a new Clause after Clause 17 ‘Establishment and Administration of a Fund’
 - (1) There is established a fund known as the Tea Cess Fund.
 - (2) The Fund shall Consist of —
 - (a) monies levied as County Tea Cess;
 - (b) such monies as may be appropriated by the assembly;
 - (c) sum received, including contributions, gifts or grants from or by way of testamentary bequest by any person;
 - (d) moneys earned on arising from any investment of the Fund;
 - (e) all other sums which may be in any manner become payable to, or vested in, the fund.
 - (3) The receipts, earnings on accruals of the Fund and its balances at the close of each financial year shall not be paid into the County Revenue Fund, but shall be retained for the purposes prescribed in this Act.
 - (4) The administrator of the Fund shall be the county chief officer for the time being responsible for matters relating to agriculture, chairman of the board of directors and the factory unit manager.
3. Clause 19 be amended by deleting the word ‘Then’ and replace therefore with ‘The’

4. Clause 19 (2) be amended by deleting the word 'Compromise' and replace therefore with 'Comprise'

...../Notice of Amendments

(O.P 031)

TUESDAY, AUGUST 11, 2020

(096)

NOTICE OF AMENDMENTS

5. Clause 19 (2)(b) be amended by deleting 'two members of board of directors each from Maara and Chuka Constituency substituting therefore with 'six members of board of directors each from tea electoral areas'

KEY

- **** -Denotes a Majority/Minority Bill
- *** -Denotes a Committee Bill
- * -Denotes any other Bill

(O.P 031)

TUESDAY, AUGUST 11, 2020

(097)

APPENDIX

PAPERS

1. The Report of the Committee on Agriculture, Livestock & Fisheries on the Tharaka Nithi County Tea Bill, 2019.

(Chairperson Committee on Agriculture Livestock and Fisheries)

2. The Tharaka Nithi County Assembly Service (Ward Offices) Regulations, 2020

(Vice - Chairperson- Tharaka Nithi County Assembly Service Board)

NOTICE OF MOTION

MOTION ON PUPLICIZING DETAILS OF TENDERS AND AWARDS

(Hon. Nduyo Susan Ngugi, MCA)

AWARE THAT; Chapter 12 of the Constitution of Kenya 2010 provides for the principles and framework of public finance where Article 201 and 227 emphasize on openness, accountability including public participation on financial matters, integrity, prudent use of financial resources, and fair, equitable, competitive and cost effective procurement.

FURTHER AWARE; That on 13th June 2018 the president issued an Executive Order requiring all government entities and public owned institutions to publish full details of tenders and awards from the 1st of July 2018. The publication will allow members of the public to access the information - which information shall include the items or services purchased, contract prices, and the particulars of the suppliers including owners, directors and beneficial ownership.

NOTING THAT; from the 1st of January 2019, all public procurement was to be undertaken through the electronic platform of the Integrated Financial Management Information System (IFMIS) and that all Accounting Officers shall

take personal responsibility for all procurements in their agencies, and will be held personally accountable for all public resources under their charge.

CONCERNED THAT; the County Government of Tharaka Nithi being a public entity that uses public funds to contract for goods and services has on various occasions not complied with the presidential directive to publish full details of tenders and awards.

...../Appendices

(O.P 031)

TUESDAY, AUGUST 11, 2020

(098)

NOW THEREFORE the County Assembly calls upon the County department of Finance Trade and Economic planning and procurement to:

1. Ensure compliance with the presidential directive issued on 13th June 2018 on *‘Procurement of Public Goods, Works and Services by Public Entities’*
2. Publish information on all tenders both completed and ongoing within the County.

STATEMENTS

1. Response to the Statement on dues owed to Natwana Tharaka Multipurpose Cooperative Society by the Chairperson Committee on Trade, Tourism and Cooperatives.
2. Response to the Statement on Bank Guarantee for Cereals Marketing Cooperative Union by the Chairperson Committee on Trade, Tourism and Cooperatives.
3. Response to the Statement on the status of tea buying centers by the Chairperson Committee on Agriculture, Livestock and Fisheries.

Second Assembly
(O.P 032)

Fourth Session
(099)



THE COUNTY ASSEMBLY OF THARAKA NITHI
SECOND ASSEMBLY – (FOURTH SESSION)
ORDER PAPER
TUESDAY, AUGUST 11TH, 2020 AT 11.30 A.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements (as listed in the appendices)
8. **MOTION ON PUBLICIZING DETAILS OF TENDERS AND AWARDS**

(Hon. Nduyo Susan Ngugi, MCA)

AWARE THAT; Chapter 12 of the Constitution of Kenya 2010 provides for the principles and framework of public finance where Article 201 and 227 emphasize on openness, accountability including public participation on financial matters, integrity, prudent use of financial resources, and fair, equitable, competitive and cost effective procurement.

FURTHER AWARE; That on 13th June 2018 the president issued an Executive Order requiring all government entities and public owned institutions to publish full details of tenders and awards from the 1st of July 2018. The publication will allow members of the public to access the information - which information shall include the items or services purchased, contract prices, and the particulars of the suppliers including owners, directors and beneficial ownership.

Second Assembly

Fourth Session

(O.P 032)

TUESDAY, AUGUST 11, 2020

(100)

NOTING THAT; from the 1st of January 2019, all public procurement was to be undertaken through the electronic platform of the Integrated Financial Management Information System (IFMIS) and that all Accounting Officers shall take personal responsibility for all procurements in their agencies, and will be held personally accountable for all public resources under their charge.

CONCERNED THAT; the County Government of Tharaka Nithi being a public entity that uses public funds to contract for goods and services has on various occasions not complied with the presidential directive to publish full details of tenders and awards.

NOW THEREFORE the County Assembly calls upon the County department of Finance Trade and Economic planning and procurement to:

1. Ensure compliance with the presidential directive issued on 13th June 2018 on *‘Procurement of Public Goods, Works and Services by Public Entities’*
2. Publish information on all tenders both completed and ongoing within the County.

9. **MOTION ON ADJOURNMENT**

(Leader of Majority Party)

AWARE THAT; on 25th February, 2020, this House approved the Assembly Calendar for the Fourth Session,

FURTHER AWARE THAT; in accordance to the Assembly Calendar and pursuant to provisions of Standing Order 39(1), the House was to proceed for long recess on Wednesday 12th August, 2020.

NOW THEREFORE; pursuant to Standing Order 39(3), the County Assembly resolves to adjourn the Assembly on Tuesday 11th August, 2020 and resume on Tuesday 8th September, 2020 at 9.30am.

KEY

**** -Denotes a Majority/Minority Bill

*** -Denotes a Committee Bill

* -Denotes any other Bill

(O.P 032) **TUESDAY, AUGUST 11, 2020**/Appendices (101)

APPENDIX

STATEMENTS

1. Response to the Statement on Water Conservation in the County by the Chairperson Committee on Water Environment and Natural Resources.
2. Response to the Statement on Water Connections in Parts of Mariani Ward by the Chairperson Committee on Water Environment and Natural Resources.
3. Response to the Statement on the status of tarmacking of roads across the County by the Chairperson Committee on Trade, Public Works and Infrastructure.

