

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Tuesday 14th March 2022 at 2:46PM.

The Deputy Speaker (Hon. Kimosop) in Chair

PRAYER

The Deputy Speaker (Hon. Kimosop): I can see that we have a challenge again with quorum. Sargeant at Arms ring the quorum bell for five minutes in compliance with our standing orders.

(Quorum bell rang)

Yes Hon. Sam Limo

Hon. Limo: Mr. Speaker having looked at the Members and counted them I can see that we have quorum.

The Deputy Speaker (Hon. Kimosop): Very well we can proceed now. Clerk!

PAPERS

The Deputy Speaker (Hon. Kimosop): The Chair Finance and Economic Planning committee.

Hon. Kuria: Thank you Mr. Speaker sir I beg to lay the report of the finance and economic planning committee on its consideration of the County Integrated Development Plan (CIDP) 2023-2027. I beg to lay.

(Hon. Kuria laid the paper on the table)

The Deputy Speaker (Hon. Kimosop): The report of the Finance and Economic Planning Committee County Integrated Development Plan 2023-2027 has been properly laid and is now committed to the committee in Finance and Economic Planning.

Clerk!

NOTICES OF MOTION

REPORT OF THE PIC/PAC COMMITTEE ON THE AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENTS OF THE BARINGO COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE 2019

The Deputy Speaker (Hon. Kimosop): I can see that in our order paper we have notices of motions and we shall start with the chairperson Public Accounts and Investment committee.

Hon. Sialo: Thank you Mr. Speaker. I beg to give a notice of motion that this House adopts the report of the Public Accounts and Investments committee on the report of the auditor general on the financial statements of the Baringo County Executive for the year ended 30th June 2019. Thank you Mr. Speaker.

REPORT ON CONSIDERATION OF THE COUNTY INTEGRATED DEVELOPMENT PLAN 2023-2027

The Deputy Speaker (Hon. Kimosop): Very well the notice of motion has been duly given and the House Business Committee will determine the date of the motion. The next notice of motion is by the Chairperson Finance and Economic Planning Committee.

Hon. Kuria: Mr. Speaker sir I beg to move the notice of motion that this House adopts the report of the Finance and Economic Planning committee on its consideration of the County Integrated Development Plan 2023-2027 laid on the table of the House today Tuesday 14th March 2023.

The Deputy Speaker (Hon. Kimosop): So this is just a notice and when a notice is given naturally it would later come as a motion but I therefore commit to the House business committee for scheduling.

MOTION

(Resumption of debate interrupted on Tuesday 14th March 2023 at 9:30AM)

REPORT OF THE PIC/PAC COMMITTEE ON THE AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENTS OF THE BARINGO COUNTY ASSEMBLY FOR THE YEAR ENDED 30TH JUNE 2019

The Deputy Speaker (Hon. Kimosop): Hon. Members when you look at your order paper we have the motion of the adoption of the report of the public accounts and investments committee and this is a continuation of the debate we had in the morning where we felt that we needed sufficient time to actually debate on this report.

In our standing orders the earlier session together with this session are treated as a continuation and so Members who had contributed in the morning will not have the opportunity to contribute again except the mover and the seconder the following Members had made their contributions; Hon. Sam Limo, Hon. Sitoi, Hon. Josphat Lokorio.

So we can proceed with the debate from where we had left. Debate is open Members. Yes Hon. Sitoi on a point of what?

Hon. Sitoi: Information

The Deputy Speaker (Hon. Kimosop): Who do you want to inform.

Hon. Sitoi: Mr. Speaker I want to inform you that I did not contribute. I was rising to adjourn the debate.

The Deputy Speaker (Hon. Kimosop): So your query is that it was not a contribution but a point of order. I will ask the clerks to clarify that. I think we have our Hansard reports. So Members who want to contribute as we clarify the circumstances and the situation of the points that Hon. Sitoi raised.

Even as we countercheck if my memory serves me well you made well-reasoned out contributions and towards the end you felt that Members needed more time and Hon. Keter took it up and brought a point of order.

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So I think you are becoming mischievous but the Hansard reports will exonerate us. Yes Hon. Sharon Keter.

Hon. Sharon: Thank you Mr. Speaker for allowing us to retire and had good time discussing with other members during lunch time. In paragraph 2.4 of the report there is a sum of 2,235,812 being used to repair motor vehicles but not supported by any document. The management answering the audit query said it had documents from DT DOBIE but they could have an LPO and invoice raised afterwards by the service provider.

On the ICT strategic committee in paragraph 2.8 it's so sad we do not have such in our assembly. If this could be in place, we could be having our order papers in time. Secondly, the website is dormant the public are not informed on the happenings in the assembly. Members can confirm that we do not have a running WI-FI in the assembly or maybe we are not aware of the password yet service provider is paid through public funds. Our official E-mails are not working because members have not been taught how to activate their Emails. The committee will ensure that work is efficient. ICT policy should be in place then the strategic committee be formed to avoid problems.

Members if staff paid outside IPPD and members also do not know our money is deducted or what we are enjoying. This should be done immediately. Our accounting officer should ensure that audit queries do not recur each and every moment.

Lastly, the issue of unsurrendered imprest for the previous years is serious. Maybe the accounting is failing. Another issue is the Baringo amounting officer is committing beyond approved budget. Mr. Speaker if you allow this to go on we are going to experience the same thing we need the accounting officer to stick on the budget so that we don't have such problems. As I finalize I wish to commend the work done public and investment committee and Hon. Sialo and his team. They have done a very good job and we are proud of you. We need to be seeing such kinds of reports in this House thoroughly thought and done.

The Deputy Speaker (Hon. Kimosop): thank you very much Hon. Sharon Keter. The debate is open

Hon. Lolgisoi MCA Mukutani Ward.

Hon. Lolgisoi: Thank you Mr. Speaker when I look at the audit report it ended 30th June 2019. We are debating this report 2023. It informs this house and the county on the happenings of 2019 to 30th June, if you look at some of the findings like lack of risk management policy. Unsurrendered imprest and the opinion of the auditor which was in 2019. What about today we wish that the period of the audit report should be within a year because this is still information

We are not aware if the risk management policy is in place. We can only thank the committee for a thorough work but again we need to have penalties after every report given to us so that we don't just debate but also add value. Thank you.

The Deputy Speaker (Hon. Kimosop): very well we can have the mover if there are no more contributions. Hon. Sialo.

Sorry we were to clarify, Clerk I need your advice on Hon. Sioi circumstances

Hon. Sioi you can make your contribution

Hon. Sitoi: Thank you Mr. Speaker for that consideration. I congratulate the committee lead by Hon. Sialo for the work well done. I want to confirm that this House has a duty to see to it that the recommendations that are made by the team that represents us are well taken care of. Mr. Speaker where I am standing now is not supposed to be where we should be operating as an assembly. Mr. Speaker I have read in this report that a contract was extended two times. As an engineer I can confirm that it is an illegality and I don't know which procurement law was used because if you extend a contract two times the assumption is that there will be a small variation.

Mr. Speaker when Hon. Lokales was contributing in the morning he observed that our Assembly is in a mess if we are not going to set and correct the wrongs that had been done previously then Mr. Speaker it means even those of us who will be coming back in the next Assembly we will come and still experience the same challenges; Audit queries, misappropriation of funds and the likes.

Mr. Speaker I see I see one of the recommendation that the committee made and said that the accounting officer be compelled to respond and to correct any audit query within six (6) months, Mr. Speaker I think that is a very good recommendation that if we are going to follow and make sure that that is done, this House and the people of Baringo will get better services.

Secondly Mr. Speaker, one of the recommendation which I liked most is that ... you know Mr. Speaker when all of us go to church on Sunday we go to church because we want to go to heaven and if we were to ask those of us who are in church on Sunday who would want to go to heaven now, nobody will be ready to go to heaven that time, Mr. Speaker you know the chairperson and the team made a very good recommendation that if the messes that have been done is not corrected then the accounting officer be sanctioned and even demoted or removed and we are all praying that good things happen to us but we must be responsible for our actions or lack of it.

Mr. Speaker I want to request this House because this is a very good report, let us be very keen to make sure that this House has the biting teeth that was envisioned in this institution, so that Mr. Speaker we are not only rubber stamps for reports, we don't just write reports without proper follow-ups we want to have a keen follow-up. Mr. Speaker when we talk about ICT... we are in a digital generation, even my son as young as he knows a lot of digital things than I do.

Mr. Speaker Hon. Members coming with papers to this House, Members coming with pens to this House is something that I would desire that one-day people will be coming here with something better than these papers. Mr. Speaker by doing so we also save the environment and many things and we become more digital, Mr. Speaker I support this report and I want to congratulate once again the team for the work well done, Thank you Mr. Speaker.

The Deputy Speaker (Hon. Kimosop): Thank you Hon. Sitoi for your well-seasoned and well thought-out contributions and I hope the Chair and the members of the implementation Committee are actually taking notes because much of what has been said by the members who have contributed and even the report has timelines in time of implementation.... Any more contributions from members?... We can have the mover to reply... the Chair of Public Investment and Accounts Committee.

Hon. Sialo: Thank you Mr. Speaker I take this opportunity to thank the members for the positive comments that they have made for this report. Mr. Speaker, the Bible says before you remove the log that is in your friends eye you are supposed to remove the spec that is in your own eye, so as

an oversight body we have the mandate to check on the executive and to make sure that they follow what is stipulated in the law.

As law makers Mr. Speaker, we should not be the ones making laws and at the same time breaking the laws. I want to request Hon. Members that as we go forward with the business of this Hon. House let us be keen on sorting issues that are within our House before we start pointing fingers on the Executive, these small issues that we keep on mentioning here and just like Hon. Sharon said to be sincere they have been re-occurring every financial year and in the previous report we read here, the same issues are still there. The issues of extension of contract periods, we are here now in this chamber which is not an official chamber as our Hon. Member had said earlier, we were expecting to be in the new chamber by January this year but of such things; the issue of extending contract periods yet the contract agreement is clear, is actually making us to suffer.

Some of us are sit here for quite sometimes and we do not have where to place our gadgets or even documents. Secondly, Mr. Speaker, is the issue of risk management policy. I think it is very shameful that such an honorable House do not have a risk management policy. This should be taken seriously and within the stipulated time that we have asked in this report, we ask the management to kindly make sure that within that time, we should have the risk management policy.

Mr. Speaker, the issue of Members or staff being paid outside the IPDD system is also a serious issue and as a new member in this Third Assembly, I am also paid outside the IPDD system. I am not even able to check on my deductions and at some point I am not able to determine if I have committed my salary beyond the 2/3 as required by the policy. So we need to actually adhere to the rules. It is very simple. Unless there is somebody sleeping on his job and if that is the case then we should find a way to whip such people so that they work as they are required.

Mr. Speaker the issue of imprest as mentioned by Hon. Keter is also a concern if a Member is given an imprest, he or she is supposed to surrender within 7 days when back to the duty station. So we don't expect such small issues to be captured by the auditor yet these are things that can be handled within a short time.

Mr. Speaker the issue of management, the accounting officer not being serious when we are having auditors around. You see some of the queries are supposed to be avoided but because someone was not serious somewhere. When auditors come around and ask for documents and they are not presented eventually the auditor recommends that those documents are missing only to be provided they have left. So we need to be serious to avoid such audit queries being raised.

Mr. Speaker, I want to take this opportunity to thank the leadership and management as well for supporting the committee and I also thank the Members of my committee for the good work they are doing together with the technical team. I want to urge Members to support the House business and finally I want to request the Implementation Committee to kindly be firm and let's implement all these recommendations. Otherwise we will just be tabling reports here and after one year we still realize that the same things are not implemented. So Mr. Speaker I beg to ask the House to adopt this report, thank you sir.

The Deputy Speaker (Hon. Kimosop): Thank you Chairman Public Accounts and Investment Committee.

(Question Put and Agreed to)

(Applause)

I want to sincerely thank the committee for wonderful work they have done. Detailed reports not only this one but also other reports that you have been tabling in this House. I also want to thank Members for your contributions. The Members in the morning who sought that we have more time to engage on this report and now Members this report becomes a product of this House.

The recommendations of this report now that you have adopted through the question that has been properly put, becomes binding and so we urge the Implementation Committee then to pick it up from there.

ADJOURNMENT

Order members! This House stands adjourned until tomorrow the 15th of March 2023 at 9:30am.

The House rose at 3:24PM.