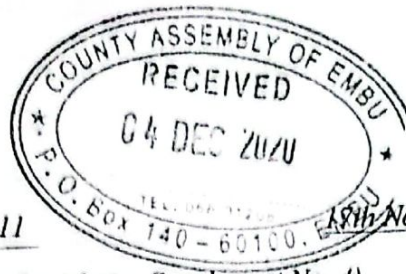


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SPECIAL ISSUE

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LEGAL NOTICE No. 4

THE PUBLIC FINANCE MANAGEMENT ACT

(No. 18 of 2012)

THE PUBLIC FINANCE MANAGEMENT (EMBU COUNTY CLIMATE CHANGE FUND) REGULATIONS, 2020

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THE PUBLIC FINANCE MANAGEMENT ACT

(No. 18 of 2012)

THE PUBLIC FINANCE MANAGEMENT (EMBU COUNTY CLIMATE CHANGE FUND) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the Embu County Executive Committee Member for Finance makes the following Regulations —

PART I—PRELIMINARY

Citation

1. These regulations may be cited as the Public Finance Management (Embu County Climate Change) Fund Regulations, 2020.

Interpretation

2. In these Regulations, unless the context otherwise requires—:

“county treasury” has the meaning assigned to it by section 2 of the Public Finance Management Act, 2012

“executive committee member” means the County Executive Committee Member for the time being responsible for climate change matters

“fund” means the Embu County Climate Change Fund established under regulation 5 of these Regulations;

“fund participating institutions” means national, regional and international institutions that have contributed to the Fund or are implementing climate change related activities in the county

“steering committee” means the County Climate Change Steering Committee established under Regulation 8 of these regulations

“ward planning committee” means the Ward Climate Change Planning Committee established under Regulation 12.

Objects

3. The object of these Regulations is to define the procedures for management, operations and winding up of the Fund, and for planning of climate change response interventions to be funded by the Fund

Principles

4. (1) The implementation of these Regulations and the management of the Fund shall be guided by the values and principles set out under article 201 of the Constitution of Kenya.

(2) Without prejudice to the provisions of sub regulation (1), the Fund shall be managed and disbursements made with due regard to the following principles—

(a) giving effect to priorities set by communities following a community driven participatory planning process;

- (b) strengthening the role of communities, community structures and indigenous knowledge systems in the planning of climate change response interventions; and
- (c) investing in public goods and structures to strengthen adaptation to climate change.

PART II—COMPOSITION OF THE FUND

Establishment of the Fund

5. There is established a fund to be known as the Embu County Climate Change Fund which shall be used to fund climate change programs, projects and activities provided for in the Climate Finance Framework.

Sources of the Fund

6. The Fund shall consist of—

- (a) monies appropriated by the County Assembly annually, not being less than two percent of the county development budget
- (b) monies received by the county from the national government pursuant to the Public Finance Management Act
- (c) climate finance received by the county from the national Climate Change Fund
- (d) international climate finance received by the county directly from the National Designated Authority, National Implementing Authority or any other agency
- (e) donations, endowments, bequests, grants and gifts from local or foreign individuals, public and private entities
- (f) charges, fees, levies or fines accruing to the county government in connection with activities that adversely impact on climate change in the county
- (g) interest and any other monies that may lawfully accrue to the Fund in any form

Object and Purpose of the Fund

7. (1) The object and purpose of the Fund is to provide funding for climate change activities identified in the County Climate Change Action Plan and County Climate Finance Framework and for connected purposes.

(2) Specifically, the fund shall be used to finance—

- (a) climate resilience assessments
- (b) implementation of climate change response projects proposed by communities
- (c) priority county level climate change response projects
- (d) climate change research and knowledge management in the county (In exception of academic research)
- (e) public education, sensitization and awareness creation on climate change and its impacts
- (f) capacity building for staff of the county and other stakeholders to effectively respond to climate change
- (g) monitoring, evaluation, reporting on climate change response in the county

- (h) any other projects, activities and interventions recommended by Committees established and that are relevant to climate change.

PART III—ESTABLISHMENT OF STEERING AND WARD COMMITTEES

Steering Committee

8. (1) There is established a Embu County Climate Change Fund Steering Committee which shall be composed of Technical officers appointed by the Governor from the following departments and institutions including—

- (a) Agriculture;
- (b) Environment and Natural resources;
- (c) Public health;
- (d) Water, Sanitation and irrigation;
- (e) Kenya Metrological department;
- (f) Kenya Forest Service;
- (g) Kenya Wildlife Service;
- (h) Finance and Planning;
- (i) Intergovernmental & institutional relation to County special Programme;
- (j) Education;
- (k) Infrastructure, Transport, Energy and Public Works;
- (l) National Environmental Management Authority;
- (m) National Drought Management Authority; and
- (n) National Disaster Management Agency

(2) Whenever the office of a member under sub-regulation (1), becomes vacant the Secretary shall forthwith notify the appointing authority for appropriate action within sixty days.

Functions of the Steering Committee

9. The functions of the steering committee shall be to—

- (a) develop a Climate Finance Framework for the County;
- (b) facilitate and monitor the implementation of the Climate Finance Framework at the ward level;
- (c) to compile the list of approved projects and prepare the County Climate Finance Budget
- (d) develop a Climate Finance research priority needs list for the county;
- (e) co-ordinate research and development for Climate Finance in the County;
- (f) pre-qualify research consultants for Climate Finance research in the County in accordance to the PPOA Act;
- (g) assign and coordinate technical assistance from County departments to projects funded under this Regulations;

- (h) ensure appropriate need based allocation of the moneys available in the Fund with regard to the projects received from the Ward Planning Committee;
- (i) co-ordinate and implement curriculum for capacity building for Climate Change Awareness and Climate Finance in the County;
- (j) ensure compliance of the Fund administration to the Public Finance Management principles under article 201 of the Constitution of Kenya;
- (k) ensure that projects approved for funding conform to the Climate Finance Framework;
- (l) mobilize funding for projects, programs and activities listed in the Climate Finance Framework;
- (m) Framework;
- (n) facilitate coordination of climate finance projects and programs with other programs in the county.
- (o) develop eligibility criteria for climate finance projects
- (p) facilitate the coordination of Climate Finance projects and programs with other programs in the County;

Conduct affairs of the Steering Committee

10. (1) The Steering Committee shall meet at least once every month; and any other intermittent meeting when necessary;
- (2) The quorum for the meetings of the Steering Committee shall be half of the membership.
- (3) The committee in their first sitting elect the chairperson and Vice-chairperson.

Secretariat of the Steering Committee

11. The Executive Member shall assign an officer in the department of Environment the duty of managing the affairs of the Steering Committee including planning for meetings in liaison with the Fund Administrator.

Ward Planning Committee

12. (1) There is established a Ward Planning Committee in each Ward in Embu County appointed by the Executive Committee Member after a competitive election process in the ward overseen by the Ward Administrator.
- (2) The ward administrator shall forward the names of recruited members to the Executive Committee Member for appointment to constitute the Ward Planning Committee with the following qualifications—

- (a) must be a resident of the respective ward;
 - (b) Must be a reliable and respectable community member who is development conscious;
 - (c) must have experience of doing a similar project in a transparent manner according to the expectation of the community.
- (3) The Ward Planning Committee shall comprise of—

- (a) one person, who shall be chairperson appointed by the Executive Committee Member in consultation with the Governor from among those elected above;
- (b) Community representatives comprising of:—
 - (i) two male persons representing elders in the Ward;
 - (ii) two female persons representing women in the Ward;
 - (iii) two persons representing the youth in the Ward;
 - (iv) two persons representing persons with disabilities in the Ward
 - (v) one person from a Ward based Public Benefit Organization, nominated by a Participating Institution;
 - (vi) one person representing faith based institutions in the Ward;
- (c) *ex-officio* members with no voting rights comprising of—
 - (i) the Sub -County Administrator of the respective sub-county;
 - (ii) Ward Administrator of the respective ward;
 - (iii) a secretary with a minimum qualification of Kenya Certificate of Secondary Education certificate;

Functions of the Ward Planning Committee

13. The roles of the Ward Planning Committee shall be—:

- (a) to consulting with the community on the relevant Climate Finance activities;
- (b) facilitating public participation at the Ward level;
- (c) receiving project proposals from the community at the ward level;
- (d) developing the technical components of project proposals;
- (e) procuring goods and services for projects, including the development of procurement plans for each project;
- (f) monitoring the implementation of projects at the ward level;
- (g) preparing the budget at the ward level;
- (h) Preparing the Ward level project reports; and
- (i) any other duty assigned by the steering committee

Conduct of the affairs of the Ward Planning Committee

14. (1) The Ward Planning Committee shall meet at least once a month in every financial year—

- (a) the Ward Planning Committee shall prioritize the development of an eligibility criteria in the first quarter of the financial year; and
- (b) the Ward Planning Committee can meet any other time on a need basis provided the limit on administrative costs per quarter is not exceeded.

(2)The quorum for the meetings of the Ward Planning Committee shall be half of the membership.

(3) A resolution of the Ward Planning Committee shall require an affirmative vote of more than one half of the membership present at a meeting, excluding the chairperson's vote which shall be a casting vote.

(4) The term of office of the members of the Ward Planning Committee shall be not more than two terms of three years.

(5) A person shall not qualify for appointment to the ward planning committee if the person contested in the immediate election preceding the formulation of ward committees.

Mobilization of resources for the Fund

15. (1) Without prejudice to the provisions of regulation 6, the Steering Committee may mobilize resources for the Fund from—

- (a) communities, development partners, and the private sector;
- (b) international climate finance frameworks, including but not limited to the Green Climate Fund, Adaptation Fund and the Global Environment Facility;

(2) The Steering Committee shall coordinate capacity development for key actors in the county in development of bankable proposals on climate change adaptation and mitigation for accessing resources from international climate finance frameworks

(3) Without prejudice to sub-regulation (2), the Steering Committee shall coordinate the development of financial management systems for the Fund that conform to the standards and requirements of the Public Finance Management Act, 2012 and international climate finance frameworks

Expenditure of the Fund

16. (1) There shall be paid out of the Fund payments in respect of expenses incurred pursuant to the objects and purposes of the Fund.

(2) Expenditure in respect of administrative costs shall not exceed three percent of the total payments out of the Fund in any financial year.

(3) All monies received, savings and accruals to the Fund and any balances not spent at the end of the financial year shall be retained in the Fund to be used in subsequent years for the purposes for which the Fund is established.

Reallocation of funds

17. (1) The Fund Administrator may, in consultation with the Steering Committee, and the relevant Ward Planning Committee, reallocate funds allocated to a project which for reasons communicated to the Steering Committee cannot be absorbed or utilized and will not subsequently be needed for the particular project.

(2) Such reallocation of funds shall only be done across projects within the same ward, save in situations where the reallocation is done to address a disaster declared by the Governor.

(3) A report of all budget reallocations in a ward shall be filed in the Project Fund Reallocation Form in the Schedule giving details of the project, its location, funds reallocated, amount originally allocated, amount unutilized and proposed reallocations, with reasons.

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Winding up of the Fund

18. (1) The Fund may be wound up at the recommendation of the Executive Committee Member for the time being in charge of the finance in consultation with the Steering Committee, and subject to the approval of the County Assembly.

(2) Winding up of the Fund shall be done in accordance with the provisions of the Public Finance Management Act, 2012.

PART IV— MANAGEMENT OF THE FUND

Administration of the Fund

19. The Steering Committee shall provide oversight over the Fund and specifically—

- (a) mobilize funds and resources for climate change response projects;
- (b) approve estimates of revenue and expenditure of the Fund for each financial year;
- (c) approve annual budget, work plan, procurement plans and cash plans for the Fund;
- (d) allocate funding for cross-ward and cross-county climate change response projects
- (e) approve the financial statements of the Fund prepared by the Fund Administrator before they are presented for audit;
- (f) approve the County Climate Finance Framework and the strategic plan of the Fund;
- (g) set out procedures for application, disbursement, recovery and repayments of loans
- (h) approve disbursement of loans and grants;
- (i) deliberate, approve and provide directions to the secretariat as appropriate on periodic financial and operational reports;
- (j) approve performance reports of the Fund and submit to the Governor with a copy to the Executive Council Member
- (k) design procedures and mechanisms for effective and transparent administration of the Fund, including tracking and accounting of climate change finance and monitoring, evaluation, reporting and learning

Fund Administrator

20. There shall a Fund Administrator who shall be the accounting officer of the department in charge of matters of climate change appointed by the Executive Committee Member in charge of the finance upon a competitive recruitment by the CPSB.

Functions of the Fund Administrator

21. The Fund Administrator shall supervise administration and day-to-day operations of the Fund, and specifically—

- (a) consult with the Steering Committee and the Executive Committee Member on all matters related to the administration of the Fund;

- (b) ensure that disbursement of monies out of the Fund is done in a timely and efficient manner and in accordance with the provisions of the Act, these Regulations and the Public Finance Management Act, 2012;
- (c) cause to be kept proper books of account and records on the operations of the Fund;
- (d) prepare, sign and submit a statement of account in respect of each financial year and within three months after the end thereof to the Steering Committee for consideration and approval;
- (e) prepare periodic reports on the financial and non-financial performance of the Fund and present the same to the Steering Committee for consideration and approval;
- (f) ensure compliance with decisions and recommendations of the Steering Committee and submit periodic reports on such compliance;
- (g) be the custodian of all assets, equipment and properties of the Fund;
- (h) perform such other functions as may be assigned by the Steering Committee from time to time.

Removal of Fund Administrator

22. The Fund Administrator may—

- (a) at any time resign from office by issuing one months' notice in writing to the chairperson of the Committee.;
- (b) be removed from office by the Executive Member for the time being in charge of Finance on the recommendation of the Steering Committee on any one or a combination of the following grounds:
 - (c) serious violation of the Constitution or any other written law;
 - (d) gross misconduct, whether in the performance of the functions of office or otherwise;
 - (e) physical or mental incapacity to perform the functions office;
 - (f) incompetence;
 - (g) bankruptcy; or
 - (h) Imprisonment for a term exceeding six months, chronic absenteeism and death.

Bank account of the Fund

23. The Executive Committee Member for the time being in charge of the County Treasury shall issue guidelines on banking arrangements of the Fund under the provisions of the Public Finance Management Act, 2012.

(2) The bank account for the Fund shall be—

- (a) managed by the Fund Administrator in consultation with the Executive Member for the time being in charge of the County Treasury (b) Signatories to the account shall be—
 - (i) County Chief Officer in charge of Environment ;
 - (ii) Fund Administrator- Mandatory Signatory ;
 - (iii) Vice-Chairperson .

(3) Cheques for administrative expenses shall be signed by any two of the signatories, but cheques to service providers for projects shall be signed by all three signatories; provided that the Fund Administrator shall sign all cheques issued by the Fund.

(4) The bank account for the Fund shall be subject to auditing under the provisions of the Public Finance Management Act, 2012 .

Functions of the Fund Administrator

24. The Fund Administrator shall, in consultation with the Executive Committee Member for the time being in charge of the County Treasury, put in place financial controls to ensure fiduciary standards are maintained in all Fund operations and to achieve the desired transparency and accountability with a view to—

- (a) promoting regular accurate reporting of all financial transactions on climate change adaptation and mitigation;
- (b) ensuring that funds are disbursed efficiently to facilitate timely and effective implementation of projects funded by the Fund to maximize on outputs and outcomes;
- (c) ensuring that project implementers and oversight providers have the necessary capacity;
- (d) ensuring that procurement in all Fund projects is competitive, transparent and delivers value for money;
- (e) putting in place effective monitoring and evaluation system for both inputs and outputs;
- (f) ensuring that Fund financial management is subject to timely accounting, reporting and auditing by a qualified and independent auditor; and
- (g) Preparing of budget for approval by the steering committee.

Allowances

25. Members of the Steering Committee shall be paid allowances in accordance with Guidelines from the Salaries and Remuneration Commission.

(2) Members of Ward Planning Committees shall serve on a voluntary basis, but may be reimbursed transport costs at rates to be determined by the County Treasury in consultation with the Executive Committee Member for the time being in charge of climate change matters and in accordance to guidelines of the Salaries and Remuneration Commission.

PART IV—DISBURSEMENT OF MONIES FROM THE FUND

Planning and budgeting

26. The Fund Administrator shall, prior to the commencement of each financial year—

- (a) prepare and circulate to the Steering the Committee, . and the Ward Planning Committees a list of funds available for climate adaptation and mitigation in the county to guide planning of projects;
- (b) submit a consolidated list of ongoing climate change response projects in the county to the Steering Committee, and the Executive Committee Member for the time being in charge of the County Treasury;

(2) The information provided under sub-regulation (1) shall specify the funds approved by the Steering Committee for each ward ;

(3) The Fund Administrator shall ensure the widest possible circulation through the media and public *Baraza* of the information under sub-regulation (1).

Allocation of funds to Wards

27. In determining the allocation of funds to wards, the Steering Committee shall be guided by the following factors—

- (a) equitable distribution of the Fund across the county having regard to eligibility criteria;
- (b) giving priority to wards that are more prone to climate change related disasters;
- (c) population distribution across the wards .

Funds distribution

28. Monies available for disbursement from the Fund in any financial year shall be distributed as follows—

- (a) three percent for administrative costs, further allocated in the following manner—
 - (i) twenty-five percent for Steering Committee; and
 - (ii) seventy-five percent for Ward Planning Committees.
- (b) thirty percent for county wide projects, further allocated in the following manner—:
 - (i) ten percent to Climate Change Awareness Creation activities;
 - (ii) twenty percent to county specific research and development; and
 - (iii) seventy percent to county wide development projects
- (c) seventy percent for projects proposed by Ward Planning Committees and approved by the steering Planning Committee.

Community consultations to identify priority projects

29. Prior to the commencement of the financial year, the Steering Planning Committee in consultation with Ward Planning Committees shall convene at least one community consultation in each location in every ward for the purposes of—

- (a) creating public awareness about climate change;
- (b) providing information about the nature of project eligible for funding through the Fund; and
- (c) enabling communities to identify priority climate change response projects.

(2) Every Ward Planning Committee shall prepare and submit to the Steering Planning Committee a report on community consultations held under sub-regulation (1).

Development of project proposals

30. The Ward Planning Committee for each ward shall, on the basis of priorities identified in the communities consultations under regulation 16, develop project proposals with procurement plans for each project.

(2) The Ward Planning Committee shall rank the projects in terms of priority, and present the list and the proposals to the Steering Planning Committee using Form A in the Schedule.

Criteria for approval of projects

31. In reviewing project proposals for funding, Steering, shall have regard to the following factors, among others—

- (a) proper situation analysis, with clear problem statement and clarity on the level and urgency of vulnerability and risk arising from delayed intervention;
- (b) relevance;
- (c) magnitude and possibility of risk occurrence;
- (d) promotion of gender and community cohesion, with due regard to vulnerable groups;
- (e) support to strengthening of livelihoods, including through income generation ;
- (f) promotion of resilience in the locality through adaptation and mitigation;
- (g) evidence of properly conducted environmental impact assessment ;
- (h) complementarity, value-addition and synergy with existing projects;
- (i) clearly defined monitoring and evaluation plan;
- (j) sustainability;
- (k) innovativeness;
- (l) clearly defined stakeholder engagement plan ;
- (m) efficiency and effectiveness of implementation arrangements;
- (n) cost-effectiveness and value for money;
- (o) Projects that will benefit many people including the most vulnerable groups;
- (p) Projects that are in line with the already approved County Plans.

(2) Provided that it shall be the responsibility of, and the Ward Planning Committees to support communities to be able to comply with the criteria for assessing project proposals .

(3) Provided further that the criteria shall not be used to prejudice or disadvantage any communities in accessing project funding from the Fund.

Disbursement of funds for approved projects

32. Upon the Steering Committee approving projects, the Fund Administrator shall publish a list of approved and ranked projects, together with the procurement plans for each project.

(2) The Fund Administrator shall then proceed to release monies to approved projects on quarterly or need basis according to cash flow projections submitted by implementers.

Bank accounts for project funds

33. Each Ward Planning Committee shall open two bank accounts, one for operating expenses and the other for project funds.

(2) The Fund Administrator shall only disburse funds to Ward Planning Committees through approved commercial banks.

(3) Disbursed funds shall only be withdrawn by duly authorized signatories for use in meeting expenses of approved projects.

(4) The accounts shall be opened in line with the Public Finance Management Act.

(5) The ward planning committees accounts shall have 3 signatories with the Fund Administrator as a Mandatory signatory.

Complaints mechanism

34. Any community member who is aggrieved by the decision of the Ward Planning Committee on projects forwarded to the Steering Committee for funding shall submit the complaint to the Fund Administrator.

(2) The Fund Administrator shall forward the complaint to the County Executive Committee Member responsible for climate change matters, for determination.

(3) Shall make a determination on the complaint within a period of six weeks and submit a report to the Steering Committee with a copy to the Fund Administrator, who shall communicate the determination to the complainant in writing.

(4) The determination of the Steering Committee shall be final.

(5) The Steering Committee may develop guidelines for processing of complaints.

Procurement

35. (1) The Fund Administrator shall in consultation with the Executive Committee Member for the time being in charge of the County Treasury facilitate establishment of appropriate procurement systems for each Ward Planning Committee consistent with the requirements of the Public Procurement and Asset Disposal Act, 2015.

(2) The Fund Administrator shall liaise with the County Director of Procurement to facilitate capacity development on procurement procedures and systems for all Ward Planning Committees.

(3) Hiring of professionals and other service providers for approved and funded projects shall be done in accordance with the Public Procurement and Assets Disposal Act, 2015 and the Public Finance Management Act, 2012.

Payment of Suppliers and Service Providers

36. Each Ward Planning Committee shall monitor implementation of projects under its supervision and ensure that service providers meet the necessary terms of the contract in accordance with the approved implementation monitoring plan and disbursement program for each project.

(2) Payments to suppliers and service providers shall be supported by approved documentation from each based on contract terms, project progress report, and approval of payment signed by at least two of the approved signatories.

(3) Payment shall be in accordance with the Implementation Monitoring Plan and the Investment Schedule.

(4) The Ward Planning Committee shall submit quarterly reports to, and the Steering Committee reflecting payments made.

Projects implementation progress reports

37. (1) The Ward Planning Committees shall submit to the Steering Committee regular reports on projects under their supervision.

(2) Ward Planning Committees shall prepare and submit to the Fund Administrator monthly financial reports with details of physical progress and financial expenditure on projects under their supervision, providing comparison between the project implementation schedule and the current status.

(3) The reports shall be submitted in Form C.

Maintenance of records

38. The steering Committee and Ward Planning Committees shall maintain full and accurate records of expenditures of the Fund, including—

- (a) all receipts in respect of every project and the sum total thereof;
- (b) all approved documents relating to every expenditure; and
- (c) relevant bank statements of project accounts.

(2) The Ward Planning Committees, and the Steering Committee shall ensure that all Fund documents are secured and preserved for audit and reference purposes.

Financial reporting

39. The Fund Administrator shall prepare and submit quarterly reports to the Steering Committee for approval and onward submission to the Executive Committee Member for the time being responsible for the County Treasury.

(2) The reports submitted under sub-regulation (1) shall provide details of—

- (a) programmes and projects funded by or in partnership with the Fund;
- (b) disbursements by each of the supporting financing and total amounts received;
- (c) funding status showing monies disbursed for each of the projects by ward and Sub-county; and
- (d) a summary of ongoing climate change activities in the county.

(3) At the end of each financial year, the Fund Administrator shall prepare annual performance report, which on approval by the Steering Committee shall be submitted to Executive Committee Member for the time being responsible for the County Treasury for onward transmission to the County Assembly.

Annual report of the Fund

40. Not later than three months after the end of each financial year, the Fund Administrator shall prepare the annual report on the Fund.

(2) The annual report shall include, *inter alia*—

- (a) the audited financial report of the Fund;
- (b) description of the activities of the Fund;
- (c) such other statistical information as the Fund may consider appropriate relating to the Fund's functions;
- (d) the impact of the exercise of any of its mandate or function;

- (e) any impediments to the achievement of the objects and functions of the Fund;
- (f) such other information as the Executive Committee Member responsible for the Treasury may direct; and
- (g) any other information relating to its functions that the Steering Committee considers necessary.

(4) The annual report shall be approved by the Steering Committee and published and publicized in a manner that the Governor may determine.

Audit

41. (1) The Fund Administrator shall cause to be kept proper books and records of account of its income, expenditure, assets and liabilities.

(2) Within three months after the end of each financial year, the Fund Administrator shall submit to the Auditor-General the accounts of the Fund in respect of that year together with—

- (a) a statement of the income and expenditure of the Fund during that year; and
- (b) a statement of the assets and liabilities of the Fund on the last day of that financial year.

(3) The annual accounts of the Fund shall be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the Public Finance Management Act, 2012.

PART V—MISCELLANEOUS PROVISIONS

Declaration of interest

42. A member of the Steering Committee, or the Ward Planning Committee who has an interest in any business before the Committee and is present at the meeting shall as soon as it is reasonably practicable, declare his/her interest and shall thereupon be excused from the meeting and not take part in the consideration or discussion of, or vote on the matter

(2) A disclosure of interest made under sub regulation (1) shall be recorded in the minutes of the meeting at which it is made.

(3) A member of Steering Committee, or the Ward Planning Committee who contravenes sub -regulation (1) shall have his/her membership of the Committee terminated forthwith upon direction of the Executive Member for the time being in charge of the County Treasury.

(4) Where a member is removed from a Committee under sub-regulation (3), the Executive Member for the time being in charge of the County Treasury shall make arrangements replacement as soon as practicable.

Guidelines

43. The Executive Committee Member for the time being in charge of the County Treasury shall in consultation with the Executive Committee Member for the time being in charge of environment and the Steering Committee develop guidelines for the proper implementation of these Regulations and management of the Fund.

General penalty

44. Any person who contravenes any provision of these regulations, notice, or order made under any of them, which no penalty has been prescribed in any other law, commits

an offence under these Regulations and shall upon conviction be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year, or to both.

SCHEDULE



Form A R. 15(2)

COMMUNITY PRIORITY PROJECTS NOTIFICATION FORM

Financial Year.....

Ward Name.....

	Project title and location	
1	Project priority rank	
1.1	Short description and target beneficiaries	
1.2	Justification	
1.3	Description of proposed measures	
2	Project costs	
2.1	Pre-construction costs	
2.2	Construction costs	
2.3	Additional infrastructure	
2.4	Design and supervision	
2.5	Contingencies	
2.6	Total project cost	
2.7	Estimated annual operating costs	
2.8	Annual maintenance costs	
3	Total estimated costs for the year	
4	Sources of finance	
4.1	Development costs	
4.2	Operations and maintenance costs	
5	Staffing and maintenance arrangements	
6	Relationship with other projects	
7	Project timeframe (period of implementation)	



Form B R. 10(3)

PROJECT FUNDS REALLOCATION FORM

Ward Name.....

Financial Year.....

<i>Project No.</i>	<i>Project Location</i>	<i>Amount Allocated (Kshs.)</i>	<i>Amount Disbursed (Kshs.)</i>	<i>Balance (Kshs.)</i>	<i>Unspent to be Reallocated</i>

Reasons for reallocation

Signature

Date

Name

Position



FORM C

R. 24(3)

PROJECT IMPLEMENTATION STATUS REPORT

*Summary Sheet for COUNTY CLIMATE CHANGE FUND Project Implementation
(Ongoing projects)*

Financial Year.....

Ward Name.....

	Type of Project	Location	Estimated total cost	Amount allocated	Expenditure to date	Variance				
						Q1	Q2	Q3	Q4	Total
1										
2										
3										

Reasons for variances

.....

.....
Date

.....
Signature and designations of signatories

Made on the 16th November, 2020.

JOHN N. NJAGI,
County Executive Committee Member, Finance and Planning.