COUNTY ASSEMBLY OF LAIKIPIA
DEPUTY CLERK
26 NOV 2024
P. O. Box 487 - 10400,
NANYUKI

Recommended

COUNTY ASSEMBLY OF LAIKIPIA
DEPUTY SPEAKER
26 NOV 2024
P.O. Box 487 - 10400, NANYUKI

REPUBLIC OF KENYA

THE LAIKIPIA COUNTY ASSEMBLY

THIRD ASSEMBLY

THIRD SESSION

**JOINT SECTORAL COMMITTEES ON FINANCE AND COUNTY PLANNING, AND LABOUR, SOCIAL WELFARE AND COMMUNITY SERVICES**

# REPORT ON THE CONDUCT OF THE MEMBERS OF THE LAIKIPIA COUNTY REVENUE BOARD

**Dated: 22ND NOVEMBER, 2024**

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## 1.0 PREFACE

## 1.1 COMMITTEE'S MANDATE

The County Assembly of Laikipia is the Legislative arm of the County Government of Laikipia Established under Article 176 of the Constitution of Kenya 2010.

The sectoral committees are established under Standing Order No.191 and the two committees Finance and County Planning and Labour, Social Welfare and Community Services subject areas are stipulated in the first schedule of the standing Orders. The committees' pursuant to the provisions of Standing Order No. 191(5) (f) shall consider for approval all appointments as required by the Assembly, except those under Standing Order 184.

## 1.2 COMMITTEE MEMBERSHIP

The Committees were constituted by the House on 26th October, 2022 comprising of the following Members: -

FINANCE AND COUNTY PLANNING COMMITTEE MEMBERS

1. Hon Stephen Ndiritu - Chairperson
2. John Gichuki - Vice Chairperson
3. George Karuiru - Member
4. Catherine Umija - Member
5. Mary Gathoni - Member
6. Paul Leshuel - Member
7. Samuel Gatati - Member

LABOR, SOCIAL WELFARE AND COMMUNITY SERVICES COMMITTEE MEMBERS.

1. Hon Irene Wachuka - Chairperson
2. Hon Eunice Salaten - Vice chairperson
3. Hon Catherine Umija - Member
4. Hon Caroline Kihika - Member
5. Hon Stephen Ndiritu - Member
6. Hon Paul Leshuel - Member
7. Hon Nicholas Muturi - Member



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## 1.3 COMMITTAL TO THE FINANCE AND COUNTY PLANNING AND LABOUR, SOCIAL WELFARE AND COMMUNITY SERVICES COMMITTEE.

The motion of County importance raised on the floor of the house via Standing Order No.34 on irregularities on employment of Revenue Collectors by the Laikipia County Revenue Board was committed to the Finance and County Planning and Labor, Social Welfare and Community Services committees for reporting to the Assembly within seven days.

## 1.4 COMMITTEE MEETINGS

The Committees held two meetings on 20 and 21st November 2024 to discuss the motion and after thorough scrutiny of it came up with this report.

## 1.5 ACKNOWLEDGEMENTS

I take this opportunity to thank all Members of the two Committees for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Office of the Speaker and that of the Clerk of the County Assembly for the logistical support accorded to it during the vetting exercise.

On behalf of the Finance and County Planning and Labor, Social Welfare and community services committees, it is my pleasure and duty to present to the House, the Committee's report on the vetting of the nominee for appointment to the position of Chief Officer County Administration and Public Service.

Thank you.

Signed ..... Date.....

Hon. Stephen Ndiritu

(Chairperson, Finance and County Planning Committee)

Signed ..... Date.....

Hon. Irene Wachuka

(Chairperson Labour, Social Welfare and Community service)

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## 2.0 DELIBERATIONS ON THE CONDUCT OF THE MEMBERS OF THE LAIKIPIA COUNTY REVENUE BOARD

### BACKGROUND

The Laikipia County Revenue Board is constituted as stated in Section 6 of the Laikipia County Revenue Board Act, NO.4 of 2014. According to that Section, the Board shall consist of: -

i. A non-executive chairperson appointed by the Governor in consultation with the Executive Committee and with the approval of the County Assembly.
ii. The Chief Officer for the time being responsible for finance
iii. The Chief Executive Officer who shall be an ex-official member and secretary to the Board
iv. Five other persons with knowledge and practical experience referred to under (2) appointed by the County Executive Member through a competitive process.

The functions of the board are stated in Section 5 of the Laikipia County Revenue Board Act whereby the members of the Board shall under the supervision of the County Executive Committee Member for the time being responsible for finance be responsible for-

i. Collecting and receiving all county revenue;
ii. Administering and enforcing county laws related to revenue;
iii. Assessing, collecting, and accounting for all revenue in accordance with the county laws related to revenue;
iv. Advising the county executive committee on all matters related to the administration and collection of revenue under county laws;
v. Carry out such other roles necessary for the implementation of the objects and purpose of this Act.

### ISSUES RAISED

On Wednesday, 19th November 2024, Members of the County Assembly while exercising their oversight duty over the County Executive Committee and any other county executive organs as stipulated in Article 185 (3) of the Constitution of Kenya; raised concerns over the conduct of the Members of the Laikipia County Revenue Board. It was stated that the Members of the Board had interfered with the recent recruitment process which sought to recruit new revenue collectors and they had also failed to fully discharge their functions as stipulated in S.5 of the Laikipia County Revenue Board Act.

The Members of the County Assembly were apprehensive that the conduct of the members of the Revenue Board which resulted in the cancellation of the recruitment process of the Revenue collectors was likely to affect the collection of revenue within the County and also bring to a halt the discharge of the other functions of the Board. There was also an indication that the Members of the Board during their tenure have committed serious violations of the Constitution and other written laws. There has also been gross misconduct by members of the Board during the performance of their duties.

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Consequently, the Speaker of the Assembly directed that the matter be handled by the joint committees of Finance and County Planning and Labour, Social Welfare, and Community Services and a report be presented to the Assembly on 26th November 2024, as per Standing Order 182.

## COMMITTEES' FINDINGS

The issues that emerged during the Committees' meetings on 20th and 21st November 2024 include the following;

i. There has been an outcry from several members of the public residing in the County that the Members of the Board had demanded bribes as an inducive of between Kshs. 20,000/ and Kshs.50,000/ from applicants for position of revenue collectors.

ii. The demand for bribes by the members of the board resulted to locking out qualified candidates who scored higher grades like a C in KCSE,yet the advert had provided for candidates who scored a grade of D+; because they lacked the money to offer bribes due to their impoverished background.

iii. There have also been complaints of sexual harassment whereby Members of the Board had demanded sexual favours from female applicants in exchange for employment.

iv. The advertisement stated that there were about 250 positions however; there are reports that messages inviting the successful canditates for the jobs were sent to more than 400 canditates way beyond the required number. This is an indication that the process was marred with irregularities.

v. Further, the existing revenue collectors were to be discharged yet they have caused an increase in the revenue that was collected in the last financial year. This requires to be looked into to prevent laying off people who have been productive.

## ISSUES RAISED

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## COMMITTEES' FINDINGS

The issues that emerged during the Committees' meetings include;

vi. There has been an outcry from several members of the public residing in the County that the Members of the Board had demanded bribes of between Kshs. 20,000/ and Kshs.50,000/to employ the interested persons in the position of revenue collectors.

vii. The demand for bribes by the members of the board resulted to locking out qualified candidates who scored higher grades like a C in KCSE,yet the advert had provided for candidates who scored a grade of D+; because they lacked the money to offer bribes due to their impoverished background.

viii. There have also been complaints of sexual harassment whereby Members of the Board had demanded sexual favours, especially from female candidates in exchange for employment.

ix. The advertisement stated that there were about 250/ positions however; there are reports that messages inviting the successful applicants for the jobs were sent to about 300/ to 400/ people. This is an indication that the process was marred with irregularities.

x. Further, the existing revenue collectors were to be discharged yet they have caused an increase in the revenue that was collected in the last year. This requires to be looked into to prevent laying off people who have been productive.

## 3.0 COMMITTEE'S OBSERVATIONS

The Committee made the observations that:

There is reason to believe that the Members of the Laikipia County Revenue Board have committed serious violations of the Constitution and also the provisions of the written Law governing the Board.

There has also been gross misconduct by the Members of the Board during the performance of their functions. As such, the breach of the Laws and the gross misconduct by members of the Laikipia County Revenue Board has inhibited the competent discharge of the Board's mandate of revenue collection within the County and disrupted the effective performance of the other functions.

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## 4.0 COMMITTEE'S RECOMMENDATION

**Mr. Speaker, Sir**, the joint Sectoral Committees Finance and County Planning and Labor, Social Services recommends;

That the County Executive Committee Member of Finance and Economic Planning do immediately **invoke the provisions of paragraph 2(b)(v) of the 1st Schedule of the Laikipia County Revenue Board Act, No.4 of 2014, (*Vacation of Office of Members of the Board) and removes the Laikipia County Revenue board members from office forthwith.***

## 5.0 COMMITTEES' CONCLUSION

THAT this house **adopts** the report of the joint committees 'of Finance and County Planning and Labor, Social Welfare, and Community Services.

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