

**THE WEST POKOT COUNTY COMMUNITY SERVICE BILL, 2018**

**ARRANGEMENT OF CLAUSES**

*Clauses*

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**THE WEST POKOT COUNTY COMMUNITY SERVICE BILL, 2018**

**A Bill for**

**AN ACT** of the County Assembly of West Pokot to provide for the establishment, governance and regulation of county community service programme; to provide for the manner of engaging persons under the service and for connected purposes

**ENACTED** by the County Assembly of West Pokot, as follows—

**PART I—PRELIMINARY**

- |                   |  |
|-------------------|--|
| Short title       | 1. This Act may be cited as the West Pokot County Community Service Act, 2018.   |
| Interpretation    | 2. In this Act—<br>“ <b>Chief Officer</b> ” means the Chief Officer responsible for matters relating to community service.<br>“ <b>Community Service</b> ” means engagement of members of the public in community work provided for under section 8 of this Act;<br>“ <b>County Community Service Coordinator</b> ” means a person appointed in accordance with Section 8 of this Act.<br>“ <b>Executive Committee Member</b> ” means the County Executive Committee Member responsible for matters relating to community service; |
| Object of the Act | 3. The object of this Act is to —<br>(a) Establish a progressive framework for the engagement of members of the public in community service programs;<br>(b) exchange of knowledge and skill and, in so doing, improve the economy of the county;<br>(c) identify, support and partner with positive and effective initiatives and programmes to empower citizens;<br>(d) inculcate the culture of volunteerism among citizens;<br>(e) promote honest hard work, productivity and sustainable                                      |

development;

- (f) promote employment creation;
- (g) promote socially acceptable values; and

**PART II—ESTABLISHMENT AND MANAGEMENT OF  
COMMUNITY SERVICE PROGRAMME**

Roles of the  
County  
Executive  
Committee  
Member

- 4.** (1) The County Executive Committee member shall—
- a) Develop policy directions for the implementation of this Act;
  - b) Mobilize resources for implementation of this Act;
  - c) Seek and liase for partnership with donors; and
  - d) Provide linkages between partners, national government and county government.
- (2) The County Executive Committee member may, in consultation with the County Executive Committee, be responsible for the determination of the work to be undertaken under the service.

Roles of the  
County  
Community  
Service Programs  
Coordinator

- 5.** The County Community Service Programs Coordinator shall—
- (1) Implement policy directives as may be directed by the County Executive Committee Member;
  - (2) Consolidate work plans in the county;
  - (3) Coordinate monitoring and Evaluation of the program in the county;
  - (4) Prepare and submit to the accounting officer regular reports on the implementation of the programs within the county;
  - (5) Supervise ward community Services Coordinators;
  - (6) Prepare budget estimates; and
  - (7) Any other duty as may from time to time be assigned for smooth implementation of the program.

Roles of  
Community  
Services  
Coordinators

- 6.** The Ward Community Service Coordinators shall—
- (1) Implement policy directives as be directed the County Community Services Coordinator ;
  - (2) Consolidate work plans at the ward levels;

- (3) Coordinate monitoring and Evaluation of the programs at the ward levels;
- (4) Supervise the Locational Community Service supervisors;
- (5) Prepare and submit to the County Community Service Coordinator regular reports on the implementation of the program;
- (6) Prepare budget estimates; and
- (7) Any other duty as may be assigned by the County Community Services Coordinator.

7. The Locational Community Service Coordinators shall—

Implement policy directives at the locational level;

- (1) Develop work plans at the locational level;
- (2) undertake monitoring and Evaluation of the program at the locational level;
- (3) prepare and submit to the Ward Community Service Coordinator regular reports on the implementation of the program at the locational level;
- (4) sensitize, mobilize and recruit community service personnel; and
- (5) any other duty as may be assigned by the Ward Community Service Coordinators.

Responsibilities  
of the County  
Community  
Service  
Personnel

8. (1) Every person engaged under this Act shall undertake any activity necessary for the realization of the goals of community service as may be proposed by the community through public participation.

(2) Notwithstanding sub-section (1) above, the scope of the work may include—

- (a) bush clearing;
- (b) mass cleaning;
- (c) environmental conservation;
- (d) road works;
- (e) land reclamation;
- (f) tree planting;
- (g) brick making;
- (h) water harvesting; and
- (i) agricultural activities.

**PART V-FINANCIAL PROVISIONS**

Funds of the  
Community  
Service

**9.**The funds and assets of the Community Service consist of—

- (a) Such monies as may be appropriated by the County Assembly for the purposes of the community service program; and
- (b) all monies from any other source provided, donated or lent to the community service program.

Financial year

**10.** The financial year of the County Community Service shall be the period of twelve months ending on the thirtieth June in each year.

Annual  
estimates

**11.** (1) At least three months before the commencement of each financial year, the Chief Officer shall cause to be prepared estimates of the revenue and expenditure of the County Community Service for that financial year.

(2) The annual estimates shall make provision for all the estimated expenditure of the County Community Service for the financial year concerned and, in particular, shall provide for the—

- (a) payment of the allowances, meals or any and other charges in respect of the County Community Service personnel, staff or agents of the County Community Service;
- (b) funding monitoring and evaluation of activities of the County Community Service;
- (c) any other expenditure necessary or required for the purposes of this Act.

(3) The annual estimates shall be approved by the Chief Officer before the commencement of the financial year to which they relate and

forwarded to the Executive Committee Member for tabling before the relevant County Assembly Committee.

Accounts and  
audit

- 12.** (1) The Chief Officer shall cause to be kept proper books and records of account of the income, expenditure, assets and liabilities.
- (2) Within a period of three months after the end of each financial year, the Chief Officer shall submit to the Auditor-General the accounts of the County Community Service in respect of that year together with—
- (a) a statement of the income and expenditure of the County Community Service during that year; and
  - (b) a statement of the assets and liabilities of the County Community Service on the last day of that financial year.
- (3) The annual accounts of the County Community Service shall be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the law relating to public audit.

Annual report

- 13.** (1) The Chief Officer shall, at the end of each financial year cause an annual report to be prepared.
- (2) Without limiting what may be included in the annual report, the annual report shall include—
- (a) the audited financial report of the County Community Service programs;
  - (b) description of the activities of the County Community Service programs;
  - (c) such other statistical information as the Chief Officer may consider appropriate relating to implementation of the County Community Service programs;
  - (d) any impediments to the achievements of the objects and

programs of the County Community Service;

(e) such other information as the Executive Committee Member may direct; and

(f) any other information the Chief officer considers necessary.

(3) The Chief Officer shall submit the annual report to the Governor three months after the end of the year to which it relates.

(4) The annual report shall be published and publicized in a manner that the County Executive Committee Member may determine.

#### **PART VI—MISCELLANEOUS PROVISIONS**

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|---------------------------|--|
| Collaboration             | <b>14.</b> A County Executive Committee Member may collaborate with any other institution for better implementation of this Act.   |
| General penalty           | <b>15.</b> A person who contravenes any provision of this Act for which no other penalty is prescribed, commits an offence and is liable, on conviction, to a fine not exceeding one million shilling or to a term of imprisonment not exceeding two years or to both. |
| Power to make regulations | <b>16.</b> The County Executive Committee Member may make regulations for better implementation of this Act.   |



**MEMORANDUM OF OBJECTS AND REASONS**

The principal object of this Bill is to promote the establishment and progressive development of County Community Services in the county and acquisition and transfer of skills to the members of public with an intention of fast-tracking self-employment, promoting the spirit of patriotism and volunteerism among citizens.

The structure of the Bill is as follows:

**Part I** (clauses 1–3) of the Bill contains preliminary provisions. Clause 1 states the title of the Bill and clause 2 deals with interpretation of terms as used in the Bill. Clause 3 sets out the object of the Bill.

*(To be completed once the bill has been fine-tuned)*