



REPUBLIC OF KENYA
TWELFTH PARLIAMENT
THE NATIONAL ASSEMBLY - (SECOND SESSION)
COMMUNICATION FROM THE CHAIR
(No. 56 of 2018)

**THE REPORT ON APPROVAL OF PAYMENTS FROM THE
CONTINGENCIES FUND**

Honourable Members,

I wish to make the following Communication which relates to a request for *post facto* approval of withdrawal of money from the Contingencies Fund. Article 223(1)(a) & (b) of the Constitution allows the National Government to spend money that has not been appropriated. The provision also stipulates the following qualifications for the spending, and I quote:-

- “(a) The amount appropriated under for any purpose under the Appropriation Act is insufficient or a need has arisen for expenditure for a purpose for which no amount has been appropriated that Act; or***
(b) money has been withdrawn from the Contingencies Fund.”

Further, Section 22(1) of the Public Finance Management Act of 2012 provides that not later than two months after making advances from the Contingencies Fund, the Cabinet Secretary responsible for Finance shall submit to Parliament for approval, a detailed report in respect of the said payment. The Act also sets out the specific information that ought to be included in the Report.

Honourable Members,

In this regard, by a letter dated **30th October, 2018** the Cabinet Secretary for the National Treasury has submitted to my office, by way of a Statement, a Report on Approval of Payment from the Contingencies Fund. The Payment amounting to **Ksh. 1.05 billion** was extended to the victims of the recent flood incidences in the country. The summary of the expenditure is in respect of the following three items:-

Broad Area of Expenditure	Amount in Ksh.
(i) Transfer to the Kenya Red Cross Society towards response to flood incidences countrywide	1,000,000,000
(ii) Support to the families who lost loved ones through floods across the country	18,070,000
(iii) Support to the families affected by landslides	31,930,000
Total	1,050,000,000

Honourable Members,

The Cabinet Secretary, now having complied with Section 22(2) of the Public Finance Management Act of 2012, is seeking approval of the said Payment by this House. The approval will enable the National Treasury to cause an appropriation of the money paid and replenish the Contingencies Fund.

Honourable Members,

I will therefore allow the Leader of the Majority Party to Table the Report under Order No. 5 after which it shall stand committed to the Budget and Appropriations Committee for consideration. I urge the Committee to pay particular attention to the Report with a view to guiding the House on how to proceed with the request for approval.

I thank you!

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Tuesday, November 13, 2018