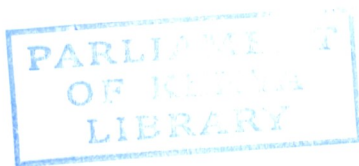


REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT- FOURTH SESSION, 2010

**REPORT OF THE DEPARTMENTAL COMMITTEE –I
ON LABOUR AND SOCIAL WELFARE ON EXAMINATION OF
THE 2010/2011 ESTIMATES FOR THE FOLLOWING VOTES;-**

- VOTE 15 – MINISTRY OF LABOUR**
- VOTE 42 – MINISTRY OF STATE FOR YOUTH AFFAIRS AND SPORTS**
- VOTE 18 – MINISTRY OF GENDER AND CHILDREN DEVELOPMENT**
- VOTE 41 – MINISTRY OF STATE FOR NATIONAL HERITAGE AND CULTURE**
- VOTE 35 – MINISTRY OF STATE FOR SPECIAL PROGRAMMES**

Clerks Chambers,
Parliament Buildings
Nairobi.

July, 2010.

TABLE OF CONTENTS

	PAGE
PREFACE	3
MINISTRY OF LABOUR (VOTE 15)	7
Introduction	7
Recommendations (Net Recurrent Allocation)	13
Recommendations (Net Development Allocation)	
MINISTRY OF STATE FOR YOUTH AFFAIRS AND SPORTS (VOTE 42)	15
Introduction	16
Recommendations (Net Recurrent Allocation)	20
Recommendations (Net Development Allocation)	
MINISTRY OF GENDER AND CHILDREN DEVELOPMENT (VOTE18)	22
Introduction	22
Recommendations (Net Recurrent Allocation)	25
Recommendations (Net Development Allocation)	
MINISTRY OF STATE HERITAGE AND CULTURE (VOTE 41)	27
Introduction	27
Recommendations (Net Recurrent Allocation)	29
Recommendations (Net Development Allocation)	
MINISTRY OF STATE FOR SPECIAL PROGRAMMES (VOTE 35)	30
Introduction	30
Recommendations (Net Recurrent Allocation)	31
Recommendations (Net Development Allocation)	
APPENDIX: MINUTES OF THE COMMITTEE	32

PREFACE

Mr. Speaker Sir.

1. The Departmental Committee on Labour and Social Welfare was constituted on 17th June 2009 during the Third Session of Tenth (10th) Parliament pursuant to provisions of Standing Orders 198 (1). The Committee executes its mandate in accordance with the provisions of Standing Order 198 (3), from which it draws its mandate to-
 - i. investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
 - ii. study the programme and policy objectives of the Ministries and Departments and the effectiveness of the implementation;
 - iii. study and review all legislation after First Reading subject to the exemptions under Standing Order 101 A (4);
 - iv. study and review all legislation referred to it;
 - v. study, assess and analyse the relative success of the Ministries and Departments as measured by the results obtained as compared with its stated objectives;
 - vi. investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to them by the House or a Minister; and
 - vii. Make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.
- 2 The Committee is mandated to consider the following issues among others: Labour Trade Union, Manpower and Human Resource, Planning, Gender, Social Welfare and Children Development, Culture and National Heritage, Disaster Management, Famine and Relief.
- 3 In executing its mandate, the Committee oversees the following Ministries:
 - i. Ministry of Labour and Human Resource;
 - ii. Ministry of State for Youth Affairs and Sports;
 - iii. Ministry of Gender and Children Development;
 - iv. Ministry of State for National Heritage and Culture and
 - v. Ministry of State for Special Programmes.
- 4 The Departmental Committee on Labour and Social Welfare comprises the following Members: -
 - i. The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
 - ii. The Hon. Lenny Kivuti, M.P. – **Vice - Chairperson**
 - iii. The Hon. Elijah Lagat, M.P.
 - iv. The Hon. Joseph Oyugi Magwanga, M.P.
 - v. The Hon. Adan Keynan. M.P.

- vi. The Hon. Gideon Konchella, M.P.
- vii. The Hon. Alfred B. Odhiambo, M.P
- viii. The Hon. Clement Waibara, M.P.

Mr. Speaker Sir,

5 Pursuant to Standing Order 152. upon being laid before the National Assembly, the Estimates stand committed to the relevant Departmental Committee for examination. The Departmental Committee on Labour and Social Welfare examined the printed estimates of the following votes;

- i. Vote 15- Ministry of Labour,
- ii. Vote 42- Ministry of State for Youth Affairs and Sports;
- iii. Vote 18- Ministry of Gender and Children Development;
- iv. Vote 41- Ministry of State for National Heritage and Culture and
- v. Vote 35- Ministry of State for Special Programmes.

6 In considering the Estimates, the Committee held a total of nine sittings. The Committee received a comprehensive brief from the Parliamentary Budget Office on the Estimates. The Committee later held meetings with the Ministers where it received submissions, presentations and other reports. The Ministers were accompanied by the Permanent Secretaries in the respective Ministries and other technical Officers.

7 The Committee also considered the following policy papers and budget documents in their scrutiny of the Annual estimates for the respective Ministries:-

- i. Vision 2030
- ii. Medium Term Plan
- iii. Printed Estimates for the Financial Year 2010/2011 for the vote 15, 42. 18,41 and 35.
- iv. Budget Speech for 2010/2011
- v. Budget Outlook Paper for the Financial Year 2010/2011
- vi. Budget Strategy Paper for Financial Year 2010/2011 and
- vii. Other relevant documents

8 In its examination, the Committee mainly dealt with the following issues:-

- i. Total nett requested from the Exchequer for each of the Ministries;
- ii. Comparison of the previous years' allocations;
- iii. Allocations to new projects/programmes;
- iv. Ministries absorption capacity;
- v. Proposed allocation vis-a-viz the achievements of the Ministries Strategic Plans;

9 Acknowledgements

The Committee wishes to thank the Office of the Honorable Speaker and the Liaison Committee for the necessary support extended to it, in the execution of its mandate as well as the Office of the Clerk for providing the necessary logistical and technical support and the Parliamentary Budget Office. The Committee further wishes to thank, the Minister for Special Programmes, the Minister for Youth Affairs and Sports, the Minister for Gender and Children Development, the Minister for Labour and Human Resource development, and the Minister for National heritage and culture, their respective Permanent Secretaries and the Technical Staff who appeared before the Committee for providing the necessary information and responding to issues raised by Members during the examination of the 2009/2010 estimates.

Mr. Speaker Sir,

Based on the submissions, presentations and evidence produced, the Committee recommends:-

- i. That the proposal by the Minister for Labour to withdraw from the Consolidated Fund a sum of one billion, two hundred twenty four million, Two hundred thousand and one hundred Kenya Shillings (Kshs. 1,224,200,100) for Recurrent Expenditure under the Ministry of Labour be approved.

That the proposal by the Minister for Labour to withdraw from the Consolidated Fund a sum of one billion one hundred eighty eight million four hundred seventy one thousand Kenya Shillings (Kshs.1.188.471.000) for Development Expenditure under the Ministry of Labour be approved.

- ii. That, the proposal by the Minister for Youth Affairs and Sports to withdraw from the Consolidated Fund a sum of five billion, four hundred and forty five million, five hundred thousand Kenya Shillings (Kshs. 5,445.500.000) for Recurrent Expenditure under the Ministry of Youth Affairs and Sports, be approved

That, the proposal by the Minister for Youth Affairs and Sports to withdraw from the Consolidated Fund a sum of four billion, eight hundred and nineteen million, four hundred and three thousand six hundred Kenya Shillings (Kshs. 4,819,403,600) for Development Expenditure under the Ministry of Youth Affairs and Sports be approved.

- iii. That, the proposal by the Minister for Gender and Children Development to withdraw from the Consolidated Fund a sum of two billion, six hundred and ninety two million, three thousand and six hundred Kenya Shillings (Kshs.2,692,003,600) for Recurrent Expenditure under the Ministry of Gender and Children Development be approved.

That, the proposal by the Minister Gender and Children Development to withdraw from the Consolidated Fund a sum of three billion, four hundred and two million, five hundred and ninety two thousand eight hundred fifty three Kenya Shillings (Kshs.3,402,592.853)

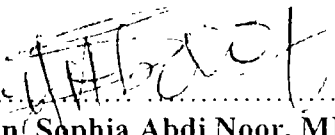
for Development Expenditure under the Ministry of Gender and Children Development, be approved.

- iv. That, the proposal by the Minister for National Heritage and Culture to withdraw from the Consolidated Fund a sum of one billion seven hundred and thirteen million one hundred and eighteen thousand and seven hundred Kenya Shillings, (Kshs.1,713,118,700) for Recurrent Expenditure under the Ministry of National Heritage and Culture, be approved.

That, the proposal by the Minister of State for National Heritage and Culture to withdraw from the Consolidated Fund a sum of four hundred and thirty eight million five hundred and twenty thousand Kenya Shillings (Kshs.438,520,000) for Development Expenditure under the Ministry of State for National Heritage and Culture, be approved.

- v. That, the proposal by the Minister of State for Special Programmes to withdraw from the Consolidated Fund a sum of four billion, forty two million, eight hundred and twenty six thousand, three hundred and sixty six Kenya Shillings (Kshs. 4,042,826,366) for Recurrent Expenditure under the Ministry of State for Special Programmes be approved

That the proposal by the Minister of State for Special Programmes to withdraw from the Consolidated Fund a sum of five billion, five hundred and sixty one million, five hundred and fifty eight thousand, five hundred and fifty Kenya Shillings (Kshs. 5,561,558,550) for Development Expenditure under the Ministry of State for Special Programmes be approved.


.....
The Hon. Sophia Abdi Noor, MP
Chairperson

Departmental Committee on Labour and Social Welfare

Dated: July 20, 2010.

REPORT OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE EXAMINATION OF THE 2010/2011 THE FINANCIAL ESTIMATES AND THE MEDIUM TERM;-

Preamble

This analysis covers the five ministries of Labour and Human Resource Development, Ministry of State for Youth Affairs and Sports, Ministry of Gender and Children Development, Ministry of National Heritage and Culture, and Ministry of State for Special Programmes.

It is based on the Estimates laid in the House for the Annual Estimates for 2010/11 and the medium term for the two ministries. A number of policy and budget documents have been used including the following: The Vision 2030, The Medium Term Plan, The Budget Policy Statement (BPS), The Budget Strategy Paper (BSP) 2009/10-2011/2012, MTEF Sector Reports for 2010, The Guidelines for Preparation of the 2010/11-2012/13 MTEF Budget, The Budget Speech for 2010, Printed Estimates for FY 2010/11, Economic Survey for 2010 and other relevant documents.

1. **Vote 15 – Ministry of labour**
2. **Vote 42 – Ministry of State for Youth Affairs and Sports**
3. **Vote 18 – Ministry of Gender and Children Development**
4. **Vote 41 – Ministry of State for National Heritage and Culture**
5. **Vote 35 – Ministry of State for Special Programmes**

VOTE 15: MINISTRY OF LABOUR

Mandate

The Ministry derives its mandate from the Presidential Circular No. 1/2008 which sets out the mandate as: National manpower policy and development, factory inspection and workers health, industrial relation, vocation training, promotion of self employment in micro and small enterprise, Directorate of Industrial Training, National Social Security Fund (NSSF) and National Productivity Centre. The arbitration and settlement of labour disputes, omitted in the Presidential Circular is one of the key mandates of the Ministry.

The mandate of the Registrar of Trade Unions of supervising and inspecting Trade Unions was transferred from the State Law Office to the Ministry of Labour. The Sub-sector also draws its mandate from the Acts of Parliament enacted in 2007 which include: Employment Act, Labour Institutions Act, Work Injury Benefit

Observations

The overall ministry budget is increased by (37.4%) from kshs.1,678 million in 2009/10 to kshs.2,305 million in 2010/11. The recurrent expenditure however is reduced from kshs.1,198 million in 2009/10 to kshs.1,117 million in 2010/11 whereas the development expenditure increased from kshs.480 million in 2009/10 to kshs.1.188 million.

Budgetary allocation

Inadequate funding for projects and programmes such as the establishment of key labour market institutions, MSE Centres of Excellence, regional industrial courts. occupational safety and health institute, and the refurbishment and establishment of industrial training centres has impacted negatively on the performance of the sub-sector.

1. Analysis of the Resource requirements for the vote

Vote	category	Printed estimates 2009/10	Revised estimates 2009/10	Requested resources 2009/10	Ceiling 2010/11	Printed estimates 2010/11
15	Recurrent.					
	Gross	1,205	1,197	1,804	1,327	1,224
	AIA	76.9	79.4		79	79.8
	Net	1,128	1,117		1,248	1,144
	Development					
	Gross	911	480	1,016	681	1,188
	GoK				505	407
	Loans				152	772
	Grants				24	9

Vote 15 Analyses of the 2010/11 Recurrent Estimates by Head.

Head	Title	Comments
480	Headquarters Administrative Services <i>includes; Aids Control Unit and ICT Unit</i>	The allocation is slightly reduced from Kshs.221 million to Ksh.220 million in 2010/11. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 220 million allocated to the Ministry for expenditure under Head 480.
604	Economic Planning Division	The allocation increased slightly from Ksh. 21 million to Ksh.22 million.

		The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 21 million allocated to the Ministry for expenditure under Head 604.
650	Financial Management Services	The allocation remained constant at Ksh.11 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 11 million allocated to the Ministry for expenditure under Head 650.
041	Diplomatic Missions labour Attaché' Geneva	The allocation decreased from Ksh.35 million to Ksh.32.5 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 32.5 million allocated to the Ministry for expenditure under Head 480
484	Office of the Commissioner <i>includes; Registrar of Trade Unions</i>	The allocation increased from Ksh. 130.9 million to Ksh.140 million due to the operating expenses from Ksh.76 million to Ksh.89 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 140 million allocated to the Ministry for expenditure under Head 484.
485	Provincial Labour Offices	The allocation increased slightly from Ksh.41.6 million to Ksh.43.8 million due to utilities, domestic travel and fuel. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 43.8 million allocated to the Ministry for expenditure under Head 485
486	District Labour Offices	The head allocations increased from Ksh.66 million to Ksh.67 million. Most of the items remained constant. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 67 million allocated to the Ministry for expenditure under Head 486.
487	Industrial Court	The allocation increased from Ksh.92.5 million to Ksh.96.9 million due to insurance costs and government pension and retirement benefits. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 96.9 million allocated to the Ministry for expenditure under Head 487

735	Productivity Center of Kenya	<p>The allocations increased from Ksh.10.8 million to Ksh.18.6 million, due to Research and feasibility studies.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 18.6 million allocated to the Ministry for expenditure under Head 735.</p>
492	Office of the Director <i>includes;</i> <i>Occupational Health and Safety Fund.</i>	<p>The allocation remained constant at Ksh.51 million due to Occupational Health and Safety Fund.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 51 million allocated to the Ministry for expenditure under Head 492.</p>
493	Directorate Field Services	<p>The allocations increased slightly from Ksh.49 million to Ksh.51.68 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 49 million allocated to the Ministry for expenditure under Head 493.</p>
515	National Employment Bureau	<p>The allocation increased slightly from Ksh.18million to Ksh.19.6 million. Due to training expenses, Membership fees and subscriptions to International Organizations.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 19.6 million allocated to the Ministry for expenditure under Head 515.</p>
516	Manpower Planning Department	<p>The allocation is reduced from Ksh.25 million to Ksh.24 million due to the reductions on foreign travel, printing and purchase of office furniture.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 24 million allocated to the Ministry for expenditure under Head 516.</p>
517	District Employment Offices	<p>The head's allocations reduced slightly from Ksh.30 million to Ksh.29 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 29 million allocated to the Ministry for expenditure under Head 517.</p>
521	Manpower Development Department	<p>The head's allocation increased from Ksh.125.7 million to Ksh.127 million, due to domestic travel, hospitality and research.</p> <p>The Committee is agreeable to the proposal by the</p>

		Minister that a sum not exceeding Kshs 127 million allocated to the Ministry for expenditure under Head 521.
632	Jua Kali Development Division	The head allocation is reduced from Ksh.64 million to Ksh.60.7 million due to purchase of office furniture The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 60.7 million allocated to the Ministry for expenditure under Head 632.
818	Provincial Enterprise Development Offices	The head's allocation remains constant at Ksh.3 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3 million allocated to the Ministry for expenditure under Head 818.
821	District Enterprise Development Offices	The head's allocation remained constant at Ksh.6 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 6 million allocated to the Ministry for expenditure under Head 821.
822	Kariobangi Development Center	The allocation increased from Ksh.0.8 million to Ksh.0.9million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 0.9 million allocated to the Ministry for expenditure under Head 822.
607	Vocational Training Center-Athi River	The allocation increased from Ksh.36 million to Ksh.38.5 million due to Membership fees, Subscriptions to International Organizations and employees' compensation. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 38.5 million allocated to the Ministry for expenditure under Head 607.
677	Development and Technical Support services	The allocation is increased from Ksh.5.59 million to Ksh. 7 million due to routine maintenance of other assets. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 7 million allocated to the Ministry for expenditure under Head 677.
680	Directorate of Industrial Training-Nairobi	The head allocation remained constant at Ksh. 34 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 34 million allocated to the Ministry for expenditure under Head 680.
682	National Industrial training Centre-Nairobi	The head's allocation increased slightly from Ksh. 16.66 million to Ksh.18 million due to specialized materials and supplies.

		The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 18 million allocated to the Ministry for expenditure under Head 682.
683	Trade Testing	<p>The allocation decreased from Ksh.24 million to Ksh.22 million due to printing and purchase of office furniture.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 22 million allocated to the Ministry for expenditure under Head 683.</p>
684	National Industrial Training Centre-Kisumu	<p>The allocation increased from Ksh.19.7 million to Ksh. 21 million due to printing and purchase of office furniture.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 21 million allocated to the Ministry for expenditure under Head 684.</p>
686	National Industrial Training Centre-Mombasa	<p>The allocation increased slightly from Ksh.23 million to Ksh.24.8 million due to most of the items allocation remained constant.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 24.8 million allocated to the Ministry for expenditure under Head 686.</p>
687	Kenya Textile Training Institute	<p>The allocation remained constant at Ksh.23 million. Due to normal routine Maintenance of assets.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 23 million allocated to the Ministry for expenditure under Head 687.</p>

Vote 15 Analyses of the 2010/11 Development Estimates by Head.

Head	Title	Comments/Issues
480	Headquarters Administrative Services	<p>The allocation decreased from Ksh.4.5million to Ksh.2.8million due to refurbishment of buildings from.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 2.8 million allocated to the Ministry for expenditure under Head 480.</p>
484	Office of the Labour Commissioner	<p>The allocation increased from Kshs 87 to Kshs 88million million due to the refurbishment of buildings at the Registrar of Trade Unions.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 88 million allocated to the Ministry for expenditure under Head 484.</p>
486	District Labour Offices	<p>The allocation is reduced from Ksh.5million to Ksh.2million on account of refurbishment of buildings.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 2 million allocated to the Ministry for expenditure under Head 486.</p>
487	Industrial Court	<p>The allocation increased from Ksh.2million to Ksh.32.4million due to the construction of Labour Court building.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 32.4 million allocated to the Ministry for expenditure under Head 487.</p>
735	Productivity Center of Kenya	<p>The allocation is new with Ksh.10million for research and feasibility.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 10 million allocated to the Ministry for expenditure under Head 735.</p>
492	Office of the Director	<p>The allocations increased from Ksh.64million to Ksh.163million due to the construction of building from and allocations for printing, training and hospitality.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 163 million allocated to the Ministry for expenditure under Head 492.</p>
517	District Employment offices	<p>A slight reduction of allocations for construction of building from Ksh.6.8million to Ksh.6.3million.</p> <p>The Committee is agreeable to the proposal by the</p>

		Minister that a sum not exceeding Kshs 6.3 million allocated to the Ministry for expenditure under Head 517.
632	Jua Kali Development Division	<p>The allocations increased from Ksh.106million to Ksh.132million due to the refurbishment of buildings and research.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 132 million allocated to the Ministry for expenditure under Head 632.</p>
607	Vocational Training Centre-Athi River	<p>The allocations increased from Ksh.183million to Ksh.808.5million due to the refurbishment and construction works, purchase of specialized plant and machinery financed by various development partners and GoK.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 808 million allocated to the Ministry for expenditure under Head 607.</p>
682	National Industrial Training Centre-Nairobi	<p>The allocations for refurbishment of buildings is reduced from Ksh.6million to Ksh.3million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3 million allocated to the Ministry for expenditure under Head 682.</p>
684	National Industrial Training Centre-Kisumu	<p>The allocation increased from Ksh.5.5million to Ksh.9million due to specialized plant and machinery for Kisumu East district.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 9 million allocated to the Ministry for expenditure under Head 684.</p>
686	National Industrial Training Centre-Mombasa	<p>The head's allocation increased from Ksh.5.5million to Ksh.15.4million due to purchase of specialized plant and machinery for Mvita district.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 15.4 million allocated to the Ministry for expenditure under Head 686.</p>
687	Kenya Textile Training Institute	<p>The allocation is reduced from Ksh.4.5million to Ksh.3million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3 million allocated to the Ministry for expenditure under Head 687.</p>

VOTE 42 - MINISTRY OF YOUTH AFFAIRS AND SPORTS.

Mandate

The important role played by the youth in national development cannot be gainsaid. The establishment of the Youth Enterprise Development Fund has enabled a number of the youth to become business creators and secure decent employment for themselves. The *Kazi Kwa Vijana* initiative was recently launched with the aim of creating job opportunities for the youth.

The Ministries' Policy include among others;-

Promoting youth development by designing policies and programmes that build young people's capacity;

Developing a National Youth Policy (NYP) to ensure Kenyan youth participation in the development of the country;

Facilitating establishment of a National Youth Council (NYC) to popularize the youth agenda;

Coordinating youth organizations in the country to ensure youth development through structured organizations, collaborations and networking;

Developing youth resource centers;

Rehabilitating and expand youth polytechnics and the National Youth Service (NYS);

and Facilitating training and preparation of the Youth for Nation building.

Observations

The huge difference between the ceilings and the requested resources is due to the Ministries' inability to absorb all funds allocated.

Analysis of the Vote Allocations at Gross Level in Kshs, Millions.

Vote	Category	Printed Estimates 2009/10	Revised 2009/10	Requested Amount	Ceiling 2010/2011	Printed Estimates 2010/2011
R 42	Gross	5,336	5,484	8,434.4	5,572	5,445.5
	A I A	63	63		63	69.5
	Net	5,273	5,421		5,509	5,376
D 42	Gross	4,950	5,609	6,637.4	5,137	4,819.4
	GoK	2,975	3,620		3,140	3,306
	Loans	1,363	1,363		1,378	200
	Grants	612	627		619	1,333

Printed Estimates 2009/10, 2010/11. Treasury Circular No 5/2010. Sector Reports

Vote 42 Analyses of Recurrent Estimates by Head.

Head	Title	Comments
200	General Administration and planning Services	<p>The allocation has decreased by 27% to Kshs 240,772,642 due to specialised materials and other current transfers, grants and subsidies.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 240,772,642 millions allocated to the Ministry for expenditure under Head 200.</p>
795	Development Planning Services	<p>The allocation slightly decreased from Kshs. 21,221,544 to Kshs. 18,235,984.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 18,235,984 million allocated to the Ministry for expenditure under Head 795.</p>
013	N.Y.S Headquarters Administrative Services	<p>The allocation slightly decreased from Kshs. 1,058,773,057 to 1,022,809,493 million due to low income generating activities.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 1,022,809,493 million allocated to the Ministry for expenditure under Head 013.</p>
016	NYS Engineering Institute - Ruaraka	<p>The allocation increased slightly from Kshs. 92, 226.497 to Kshs. 97,612,880 due to an increase in specialized material and supplies.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 97,612,880 million allocated to the Ministry for expenditure under Head 016.</p>
017	NYS Secretarial College – Ruaraka	<p>The allocation increased slightly from Kshs. 44,500,416 to Kshs 44,622,717 millions due to the institute inability to generate optimum income internally.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 44,662,717 million allocated to the Ministry for expenditure under Head 017.</p>
036	Nairobi Engineering Craft School	<p>The allocation increased from Kshs. 77,729.941 to Kshs 89,582,589 million due to an increase for specialised materials.</p>

Head	Title	Comments
		<p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 89,582,589 million allocated to the Ministry for expenditure under Head 036.</p>
081	Yatta Complex	<p>The allocation increased from Kshs.114,051,656 to Kshs. 125,092,617 million due to training expenses and specialised materials.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 124,092,617 million allocated to the Ministry for expenditure under Head 081.</p>
090	NYS Street Youth Rehabilitation	<p>The allocation increased from Kshs.120,435,000 to Kshs.129,302,007million due to training expenses and specialised materials.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 129,302,007 million allocated to the Ministry for expenditure under Head 090..</p>
357	NYS Catering School-Gilgil	<p>The allocation increased from Kshs.61,994,224 to Kshs.66,291,581 million due to training expenses and specialised materials.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 66,291,581 million allocated to the Ministry for expenditure under Head 357.</p>
358	NYS Training Units	<p>The allocation increased from Kshs.279,334,207 to Kshs.297,409,268 million due to increased personal allowance.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 297,409,268 million allocated to the Ministry for expenditure under Head 358.</p>
361	Production Units	<p>The allocation increased from Kshs.263,186,273 to Kshs.287,336,831 million</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 287,336,831</p>

Head	Title	Comments
		million allocated to the Ministry for expenditure under Head 361.
363	Maintenance Services	<p>The allocation has decreased by 15% from Kshs.158,774,060 to Kshs.135,707,733 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 135,707,733 million allocated to the Ministry for expenditure under Head 363.</p>
339	Youth Development Field Services	<p>The allocation increased from Kshs.216,302,416 to Kshs.361,350,150 million due to basic salaries.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 361,302,416 million allocated to the Ministry for expenditure under Head 339.</p>
386	Youth Polytechnics Field Services	<p>The allocation increased from Kshs.211,760,132 to Kshs.286,842,199 million due to an increase in towards basic salaries for permanent employees.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 286,842,199 million allocated to the Ministry for expenditure under Head 386.</p>
689	Youth Polytechnics and Training Services <i>This constitutes Special needs Education, Youth polytechnic and training field services, Quality Assurance and standards and Free youth polytechnic training.</i>	<p>The allocation decreased from Kshs.1,164,267,387 to Kshs.1,101,326,444 million due to subsidies to non financial public enterprises being allocated Kshs. 894.5 million .</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 1,101,326,444 million allocated to the Ministry for expenditure under Head 689.</p>
904	Youth Development Services <i>This constitutes Youth social development, Youth employment and enterprise, Youth empowerment and participation, Youth enterprise development fund and National youth council</i>	<p>The allocation increased from Kshs.347,677,494 to Kshs.422,509,733 million due to allocation towards basic salaries for permanent employees.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 422,509,733 million allocated to the Ministry for expenditure under Head 904.</p>

Head	Title	Comments
267	National Sports Institute	The allocation decreased from Kshs.10,876,177 to Kshs.10,046,284 million The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 10,046.284 million allocated to the Ministry for expenditure under Head 267.
927	Headquarters Administrative Services	The allocation increased from Kshs.155,800,000 to Kshs.223,880,000 due to the exclusion of capital grants to government agencies. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 223,880,000 million allocated to the Ministry for expenditure under Head 927.
930	Sports Stadia Management Board	The allocation has remained constant at Kshs.42 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 42 million allocated to the Ministry for expenditure under Head 930.
933	Provincial Sports Administrative Services	The allocation increased from Kshs.35,485,938 to Kshs.37,666,028. Due to the inclusion of Nairobi Province. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 37,666,028 million allocated to the Ministry for expenditure under Head 933.
934	District Administrative Services	The allocation increased from Kshs. 315,592,111 to Kshs.331.107,817 The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 331,107,817 million allocated to the Ministry for expenditure under Head 934.

Vote 42 Analyses of Development Estimates by Head.

Head	Title	Comments
200	General Administration and planning Services	<p>The allocation decreased from Kshs 513,918,497 to 366,960,432 due to purchase of specialised plant, equipment and machinery and basic wages for temporary employees</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 366,918,497 million allocated to the Ministry for expenditure under Head 200.</p>
795	Development Planning Services	The allocation is null.
013	N.Y.S Headquarters Administrative Services	<p>The allocation decreased from Kshs.2,267,820,000 to Kshs.866,000,000 million due to the reduction in the budget for purchase of specialised plant, equipment and machinery.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 866,000,000 million allocated to the Ministry for expenditure under Head 013.</p>
016	NYS- Engineering Institute -Ruaraka	<p>This new sub-head has been introduced. Kshs.24,000,000 million for the specialized works at the institute.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 24,000,000 million allocated to the Ministry for expenditure under Head 016.</p> <p>Issue:</p> <ul style="list-style-type: none"> ○ What is the justification for this introduction?
358	NYS Training Units	<p>The allocation has remained constant at Kshs.170 million for construction works.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 170, million allocated to the Ministry for expenditure under Head 358.</p>
361	Production Units	<p>The allocation decreased from Kshs.96,500,000 to Kshs.79,600,000 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 79,600,000 million allocated to the Ministry for expenditure under Head 361.</p>
363	Maintenance Services	<p>The allocation decreased from Kshs.60,000,000 to Kshs 30,600,000 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 30,600,000 million allocated to the Ministry for expenditure under Head 363.</p>
689	Youth Polytechnics and Training Services	The allocation increased from Kshs.586,521,556 to Kshs.691,700,000 million due to a allocation reduction in construction of buildings

Head	Title	Comments
		The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 691,700,000 million allocated to the Ministry for expenditure under Head 689.
904	Youth Development Services	<p>The allocation decreased from Kshs.1,384,605,173 to Kshs.770,062,674 million due to no allocation on purchase of certified seeds.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 770,062,674 million allocated to the Ministry for expenditure under Head 904.</p>
927	Headquarters administrative Services	<p>The allocation increased from Kshs.427,422,044 to Kshs.992,000,000 million due to construction of civil works worth.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 992,000,000 million allocated to the Ministry for expenditure under Head 927.</p>
933	Provincial Sports Administrative Services	<p>The allocation decreased from Kshs. 94,500,000 to Kshs. 41,256,000 million due to overhaul and refurbishment of construction and civil works.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 41,256,000 million allocated to the Ministry for expenditure under Head 933.</p>
934	District Administrative Services	<p>The new allocation of Kshs 140,424,494 million is to cater for new Districts.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 140,424,494 million allocated to the Ministry for expenditure under Head 934</p>

VOTE 18 - MINISTRY OF GENDER, CHILDREN DEVELOPMENT;

Mandate

The mandates of the Ministry of Gender, Children and Social Development includes among others:

- Policies on Gender, Children and Social Development
- Gender Mainstreaming into National Development
- Women Enterprise Development Fund
- Promotion and Coordination of volunteer services
- Social welfare for Vulnerable Groups
- Community Development
- Programmes and Institutions for Children's Care and Development

The Major programmes by the Ministry include among others;-

Women Enterprise Fund (WEF)

The Women Enterprise Fund (WEF) was established by the Government in 2007. The rationale of setting up the Fund is to promote economic empowerment of women by providing alternative financial services. The Fund is a flagship project under the Social Pillar of the Vision 2030.

National Council for Persons with Disabilities

The National Council for Persons with Disabilities was set up in December 2004 following the enactment of the Persons with Disabilities Act (PWD), 2003 to promote the rights of persons with disability in Kenya and mainstream disability issues into all aspects of national development, The Council is mandated to formulate and develop measures and policies designed to achieve equal opportunities for PWDs.

Vote 18 Analyses of the 2010/11 Recurrent Estimates by Head.

Head	Title	Comments
794	Gender and development includes; <i>National Commission on Gender and Development</i>	<p>The allocation reduced from Ksh.75.4 million to Ksh.74.9 million due to the National Commission on Gender and Development grants.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 74.9 million allocated to the Ministry for expenditure under Head 794.</p>
903	Community Based Nutrition Programme	<p>The allocation decreased from Ksh.17.59 million to Ksh.11 million due to. Printing, specialized materials, Office supplies, fuel and routine maintenance..</p> <p>The Committee is agreeable to the proposal by the Minister that a</p>

		sum not exceeding Kshs 11 million allocated to the Ministry for expenditure under Head 903.
904	Social Welfare	<p>The allocations increased from Ksh.440.5 million to Ksh. 538.8 million due to Other capital grants that increased from Ksh.430 million to Ksh.530 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 538.8 million allocated to the Ministry for expenditure under Head 904.</p>
906	Vocational rehabilitation	<p>The allocation decreased from Ksh.67.8 million to Ksh.61.9 million due to membership fees and subscriptions to International organizations.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 61.9 million allocated to the Ministry for expenditure under Head 906.</p>
907	Community Mobilization and Development	<p>The allocation decreased from Kshs. 13.8 million to Kshs 7.3 million due to printing and research.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 7.3 million allocated to the Ministry for expenditure under Head 907.</p>
909	District Administrative Services	<p>The allocation increased from KSh.189.78 million to Ksh.217.77 million due to basic salaries, personal allowance, domestic travel for the New Districts.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 217,77 million allocated to the Ministry for expenditure under Head 909.</p>
122	Headquarters Administrative Services: <i>Includes Orphans and Vulnerable Children's Services and Children's Services.</i>	<p>The allocation increased from Ksh.797.76 million to Ksh.805 million due to grants at the headquarters, Utilities, rentals, other capital grants, transfers for the Orphans and vulnerable Children's services and other operating expenses for the Children's Services.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 805 million allocated to the Ministry for expenditure under Head 122.</p>
123	Rehabilitation School	<p>The head's allocation increased from Kshs 158.7 million to Kshs 170.3 million due to basic wages increase and personal allowance.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 170.3 million allocated to the Ministry for expenditure under Head 123.</p>

124	Children's Remand Homes	<p>The head's allocation increased from Kshs 84.6 million to 90.9 million due to due to employee's compensation.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 90.9 million allocated to the Ministry for expenditure under Head 124.</p>
125	Provincial Children's Services	<p>The head's allocation increased from Kshs 53 million to Kshs 55 million due to due to employee's compensation.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 53 million allocated to the Ministry for expenditure under Head 125.</p>
148	District Children's Services	<p>The head's allocation increased from Kshs 176.5 million to Kshs 198.6 million due to employee's compensation.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 198.6 million allocated to the Ministry for expenditure under Head 248.</p>
226	National Council for Children Services	<p>The head's allocation is constant at Kshs 50 million due to grants.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 50 million allocated to the Ministry for expenditure under Head 226.</p>

Vote 18 Analyses of the 2010/11 Development Estimates by Head

Head	Title	Comments
558	Headquarters Administrative Services, <i>Includes Social Protection Seretariat</i>	The allocation decreased from Kshs 47.86 million to Kshs 10 million due to UNICEF and GoK component reduction. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 10 million allocated to the Ministry for expenditure under Head 558.
794	Gender and Development <i>includes; Women Enterprise Fund</i>	The allocation remained constant at Ksh.481 million due to Ksh.440million to cater for capital grants to Women Enterprise Fund. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 481 million allocated to the Ministry for expenditure under Head 794.
900	Social Services	The allocation remained constant at Ksh. 204 million due to Capital grants at Ksh.200million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 204 million allocated to the Ministry for expenditure under Head 900.
903	Community Based Nutrition Programme	The allocation was reduced from Ksh.10 million to Ksh.3.8 million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3.8 million allocated to the Ministry for expenditure under Head 903.
904	Social Welfare	The allocation was reduced from Ksh.305.5 million to Ksh.189million due to specialized materials from Ksh.185million to Ksh.169million funded by WFP. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 189 million allocated to the Ministry for expenditure under Head 904.
906	Vocational rehabilitation	The allocation increased slightly from Ksh.29.5million to Ksh.34million due to the purchase of specialized plant at Ksh.32.6million. The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 34 million allocated to the Ministry for expenditure under Head 906.
907	Community Mobilization and Development	The allocation increased from Kshs 75 million to 80 million due to capital grants. The Committee is agreeable to the proposal by the Minister that a

		sum not exceeding Kshs 3 million allocated to the Ministry for expenditure under Head 907
909	District Administrative Services	<p>The construction of building allocations increased from Ksh.40million to Ksh.60million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 60 million allocated to the Ministry for expenditure under Head 909.</p>
122	Headquarters Administrative Services <i>Includes the Unit Orphans and Vulnerable Children's Services</i>	<p>The allocation increased from Ksh.1,741million to Ksh.2,230million due to other capital grants at Ksh.1,774million for Orphans and vulnerable children's services funded by UNICEF, GoK, IDA and various donors.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 2,230 million allocated to the Ministry for expenditure under Head 122.</p>
123	Rehabilitation School	<p>The allocation increased from Kshs 1,741 million to Kshs 2,230 million due to purchase of vehicles, specialized material and funding by UNICEF, IDA, GoK and other donors.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 2,230 million allocated to the Ministry for expenditure under Head 123.</p>
124	Children Remand	<p>The allocation was reduced from Kshs 15 million to 3 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3 million allocated to the Ministry for expenditure under Head 124.</p>
126	Street Children Rehabilitation Centre	<p>The allocation increased slightly from Ksh.42million to Ksh.43million and reduces to Ksh.16million in the medium term.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 43 million allocated to the Ministry for expenditure under Head 126.</p>
148	District Children's Services	<p>The construction of building allocation increased from Ksh.40million to Ksh.60million and increase in the medium term.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 60 million allocated to the Ministry for expenditure under Head 148.</p>

VOTE; 41- MINISTRY OF STATE FOR NATIONAL HERITAGE AND CULTURE.

Mandate

The Ministry is mandated to develop policies on national heritage and culture, public records management, research, library services and coordination of NGOs activities,

- Expanded national library services to help in reducing illiteracy levels in the country
- Enhanced and building capacity for improved reading culture in Kenya
- Expanded of records management especially in the public sector
- Consolidated and tracing of archival materials in other countries to be brought back to Kenya
- Streamlined of NGOs activities in the country and essential policies to make them more accountable

Vote 41 Analyses of Recurrent Estimates by Head

Head	Title	Comments
015	General Administration and Planning Services	<p>The allocation was moderately slashed down from kshs 251.27 million to kshs 197.22 million due to the Institute of Primate Research, specialised materials and supplies was reduced.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 197,22 million allocated to the Ministry for expenditure under Head 015.</p>
353	District Records Management Services	<p>The allocation is slightly scaled up from Kshs 13.27 million to Kshs 17.52 million due to the Purchase of vehicles and other transport equipment during the current financial year.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 17.52 million allocated to the Ministry for expenditure under Head 353.</p>
494	National Archives	<p>The allocation is slightly scaled down from Kshs 80.63 million to Kshs 77.67 million due to the Purchase of Office furniture and general supplies.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 77.67 million allocated to the Ministry for expenditure under Head 494.</p>
497	Provincial Records Caters	<p>There is a slight reduction from Kshs 19.15 million to Kshs 17.96. The record will be done the nearby central center.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 17.96 million allocated to the Ministry for</p>

		expenditure under Head 497.
595	Non-Governmental Organizations	<p>The allocation is constant as the grants remains constant at kshs 110 million with a projection of increasing to Kshs 155 million in 2011/12 and more NGOs oversight is envisaged.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 110 million allocated to the Ministry for expenditure under Head 595.</p>
495	Museums Headquarters and Regional Museums	<p>The allocation is constant as the grants remains constant at kshs 560 million with a projection of increasing to Kshs 610 million in 2011/12 for the Institute of Primate Research.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 560 million allocated to the Ministry for expenditure under Head 495.</p>
849	Permanent Presidential Commission On Music	<p>The allocation is moderately scaled down from Kshs 52.55 million to Kshs 37.9 million. Due to Domestic travel and Purchase of Office furniture and general supplies.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 37.9 million allocated to the Ministry for expenditure under Head 849.</p>
916	Headquarters Cultural Services	<p>The allocation has slightly decreased from from Kshs 44.07 million to kshs41.922 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 41.922 million allocated to the Ministry for expenditure under Head 916.</p>
920	Development of Performing Arts	<p>The allocation remains constant at Kshs 4.31 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 4.31 million allocated to the Ministry for expenditure under Head 920.</p>
925	District Cultural Services	<p>There is a minor reduction from Kshs 45.47 million to kshs 41.79 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 41.9 million allocated to the Ministry for expenditure under Head 925.</p>
913	Library Services	<p>The allocation is constant with grants at kshs 550 million with a projection of increasing to Kshs 610 million in 2011/12.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 550 million allocated to the Ministry for expenditure under Head 913.</p>

Vote 41 Analyses of Development Estimates by Head.

Head	Title	Comments
494	National Archives	<p>The allocation has slightly increased from Kshs 71.3 million to Kshs 74 million, due to Other Operating expenses at Kshs 60 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 74 million allocated to the Ministry for expenditure under Head 494.</p>
495	Museums Headquarters and Regional Museums	<p>The allocation has increased from kshs 98.9 million to kshs 104.8 million due to construction of Buildings and civil works and Kshs 104.5 from development partners.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 104.8 million allocated to the Ministry for expenditure under Head 495.</p>
496	Antiquities, Historic Monuments and Sites	<p>The allocation has decreased from kshs 37.5 million to kshs 34 million mainly due to construction of Buildings and heroes Monuments.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 34.7 million allocated to the Ministry for expenditure under Head 496.</p>
849	Permanent Presidential Commission on Music	<p>The allocation has decreased slightly from kshs 32.7 million to kshs 30.7 million due to construction of Buildings.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 30.7 million allocated to the Ministry for expenditure under Head 849.</p>
916	Headquarters Cultural services	<p>The allocation has decreased in capital grants from Kshs 12 million to Kshs 5.5 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 12 million allocated to the Ministry for expenditure under Head 916.</p>
925	District Cultural Services	<p>The allocation has increased from Kshs 37 million to Kshs 64.4 million mainly for construction of Buildings.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 64.4 million allocated to the Ministry for expenditure under Head 925.</p>
913	Library Services	<p>The allocation has decreased in capital grants from Kshs 136 million to Kshs 100 million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 100 million allocated to the Ministry for expenditure under Head 913.</p>

VOTE; 35 - MINISTRY OF STATE FOR SPECIAL PROGRAMMES

Mandate

The Ministry of Special Programmes was established in 2004 to handle and co-ordinate disaster management in the country. The Ministry is currently spearheading formulation of a comprehensive National Disaster Management Policy which targets interventions in the mitigation of national disasters such as floods, drought and the national response to HIV and AIDS and coordination of resettlement and mitigation programme for Internally Displaced Persons (IDPs).

Vote 35 Analyses of the 2010/11 Recurrent Estimates by Head.

Head	Title	Comments
143	General Administrative Services includes; Aids Control Unit, ICT unit, Monitoring and Evaluation unit, Finance Management Services, Disaster Mitigation Programmes, Department of mitigation and resettlement, National humanitarian Fund Secretariat	<p>The allocation increased from Ksh.329.5million to Ksh.356.9 million due to purchase of vehicles at for the Headquarters, insurance and Government pension and retirement benefits and the disaster Mitigation programme.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 356.9 million allocated to the Ministry for expenditure under Head 143.</p>
275	Relief and Rehabilitation	<p>The allocation is reduced from Ksh.3,084 million to Ksh.1,076 million due to rentals and purchase of office furniture. Emergency relief and refugee Assistance resources.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 1,076 million allocated to the Ministry for expenditure under Head 275.</p>
564	National Food Security	<p>The allocation reduced from Ksh.3,738 million to Ksh.2,307million due to communication, operating expenses and Acquisition of Strategic stocks</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 2307 million allocated to the Ministry for expenditure under Head 564.</p>
603	National Aids Council	<p>The current grants remained constant at Ksh.302million.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 302 million allocated to the Ministry for expenditure under Head 603.</p>

Vote 35 Analyses of the 2010/11 Development Estimates by Head.

Head	Title	Comments
143	General Administrative Services <i>includes; Monitoring and evaluation unit, Disaster Mitigation Programmes, National Humanitarian Fund Secretariat</i>	<p>The allocations reduced from Ksh.1, 812.9 million to Ksh.1,348.7 million due to purchase of vehicles and specialized plant and machinery.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 1,348.7 million allocated to the Ministry for expenditure under Head 143.</p>
275	Relief and Rehabilitation	<p>The allocation increased from Ksh.241million to Ksh.438million due to the purchase of vehicles financed by Japan.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 438 million allocated to the Ministry for expenditure under Head 275.</p>
603	National Aids Council <i>includes; Community development programmes, Implementation of International resolutions, Capacity building, Total War Against Aids</i>	<p>The allocation increased from Ksh.1,797.9 million to Ksh.3,563.5 million due to Total War Against Aids and other capital grants financed by GF, Gok, IDA and various development partners.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 3,563.5 million allocated to the Ministry for expenditure under Head 603.</p>
770	Western Kenya Flood Mitigation	<p>The allocations reduced from Ksh.725million to Ksh.228million due to Basic wages, domestic travel, printing, Hospitality, expenses and construction works due to the frozen funds by the donors.</p> <p>The Committee is agreeable to the proposal by the Minister that a sum not exceeding Kshs 228 million allocated to the Ministry for expenditure under Head 770.</p>

MINUTES OF THE FORTY FIRST SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON WEDNESDAY JUNE 30, 2010 IN COMMITTEE ROOM FOURTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 11.00 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Elijah Lagat, M.P.

ABSENT WITH APOLOGY

The Hon. Gideon Konchella, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant
Mr. Odongo – Budget Office

PRAYERS

MIN: 88/2010 BUDGET ISSUES TO RAISE WITH THE MINISTRY OF LABOUR, MINISTRY FOR YOUTH AFFAIRS AND SPORTS, MINISTRY OF GENDER, CHILDREN AND SOCIAL DEVELOPMENT, MINISTRY OF HERITAGE AND CULTURE AND MINISTRY OF STATE FOR SPECIAL PROGRAMMES

The budget office informed the Committee that the Budget analysis of the Committee covers the five ministries and the analysis is based on the estimates laid in the House for the Annual Estimates for 2010/11 and the medium term for the five ministries. A number of policy and budget documents were used including the following: The budget Strategy Paper (BSP) 2009/10-2011/2012. MTEF Sector Reports for 2010, The Guidelines for preparation of the 2010/2011-2012/13 MTEF Budget, The budget Speech for 2010, Printed Estimates for FY 2010/11, Economic Survey for 2010 and other relevant documents.

The committee was requested to ask some of the leading Questions as under;-

1. Issues for the Ministry of Labour and Human Resource Development

The Committee may raise with the Minister the following issues to get answers;-

- a. How does the Ministry use the AIA from the only state corporation under the Ministry which is NSSF?
- b. How far have the audit queries raised by the Controller and Auditor General in the Ministry been addressed?
- c. What is the Ministry doing to avail in the shortest time possible, updated Labour Market Information which can be used as a basis or evidence based human capital planning development utilization?
- d. What is the implementation status of the Ministry programmes funded in 2009/10 (performance of 2009/2010 programmes as 2009/10 BSP below;-

Programmes as per Sector Reports 2010

Promotion of Best Labour Practices;

- *Resolving Labour and trade disputes*
- *Policy on child labour developed and implemented,*
- *National Occupational Safety and Health at workplace Policy approved and operational.*

Manpower Planning Development, Utilization and Productivity Management;

- *Job seekers placed through the public employment system*
- *MSE worksites upgraded and developed*
- *2,000 MSEs exposed to local and international exhibitions.*
- *8 MSEs Centres of Excellence established.*

Policy, Planning and Administration;

- *Upgrading and refurbishment of industrial training centres*
- *Industrial Attachment for trainees*

Programmes as per Budget Strategy Paper 2009/2010

- a) Recurrent budget head 484 (Commissioner of Labour) and head 492 (Director of Labour) have increased budgets. What is the difference between the two offices?
- b) Head 486, District Labour Offices, - has only been allocated Kshs.67 million from Kshs.66 million in 2009/10. How will the Ministry expand services in the many newly created districts?
- c) Head 517, District Employment Officers, - has reduced allocation yet the number of districts has gone up. How will the Ministry offer adequate services in the new districts?
- d) Head 492, Construction of building, - is being budgeted for in the development vote under the office of the director (Kshs135.5 million). Where will the building be? When will it be constructed? What is the total projected cost and when will it be finalized? The same question applies to heads 632

(Jua Kali development division), and head 607 (vocational training Centre – Athi River)

2. Issues for the Ministry of State for Special Programmes

- a. Head 275, Relief and rehabilitation, - the allocation reduced from Kshs3,084 million to Kshs1,076 million. No allocation for rentals and purchase of office furniture. Emergency relief and refugee assistance resources reduced from Kshs3,000 million to Kshs1,000. Is the reduction going to impact on the department's response to emergency relief and refugee assistance in the country?
- b. Head 564, National Food Security, - The allocation reduced from Ks3,738 to Kshs2,307 million. No allocation for communication. Increase for other operating expenses from Kshs247 million to Kshs1,279.7 million. Decrease on allocations for acquisition for Strategic Grain Stocks from Kshs3,465 million to Kshs1,000 million. Will the reduction on strategic grain reserve impede the ministry's capacity to acquire the strategic stocks?
- c. Head 603, National Aids Control, - the current grants remained constant at Kshs302 million, what is the audit status of the state agencies accounts?
- d. Head 143, General Administrative Services, - the allocation reduced form Kshs812.9 million to Kshs1,348.7 million. No allocations for purchase of vehicles and purchase of specialized plant and machinery. This is funded by Gok, UNDP, ADP and various development partners. Is the reduction indicative of donor support withdrawal?
- e. Head 770, Western Kenya Flood Mitigation, - the allocation reduced from Kshs725 million to Kshs228 million. No allocations for foreign travel and other capital grants and transfers. Reduced items include basic wages, domestic travel and printing, hospitality, other operating expenses and construction works. Are there frozen funds by the donors? What is the breakdown of the expenses (consultancy fees, civil works, procurement and other charges)?

3. Issues for the Ministry of Gender Children and Social Development

- a) How far has the Ministry addressed audit issues raised by the Controller and Auditor General in their last report FY 2007/08?
- b) What is the current status of the women enterprise fund? What is the uptake level of the fund, has it achieved its intended objectives?
- c) Can the Ministry tell the Committee the achievement levels with the resources allocated to it in 2009/10 generally and under the following programmes?

Gender and Social Development;

- How many self help groups trained and supported with grants
- The status of the National Social Protection Policy .
- The number of women entrepreneurs accessing women enterprise fund
- The status of the Female Genital Mutilation policy.

Child Protection Services;

- Number of children under protection

- The number of Remand and rehabilitation schools constructed.
- d) Head 794, Gender and development, - the allocation reduced from Kshs75.4 million to Kshs74.9 million. What is the implementation status of the Government move to have 30% women given public jobs opportunities?
 - e) Head 903, Social Welfare,- the allocation increased from Kshs440.5 million to Kshs538.8 million. The increases is on the accounts of capital grants that increased from Kshs430 million to Kshs530 million. What is the audit status of the state agencies receiving the capital?
 - f) Head 906, Vocational rehabilitation, - the allocation reduced from Kshs67.8 million to Kshs61.9 million. Membership fees and subscriptions to International Organizations reduced from Kshs25 million to Kshs12 million. Which are these international organizations and what benefit does Kenya get from being a member?
 - g) Head 909, District Administrative Services, - the allocation increased from Kshs189.78 to Kshs217.77 million. Increased items include basic salaries from Kshs91 million to Kshs106.66 million, personal allowance from Kshs32 million to Kshs45.6 million and domestic travel form Kshs11 million to Kshs17.96 million. Are there any new employees? How many and how will they be distributed to the districts? How is the current staff distribution across the districts?
 - h) Head 122, the allocation, - increased from Kshs797.76 million to Kshs805 million. New item, current grants at the headquarters, utilities rentals, other capital grants and transfers for the orphans and vulnerable children services . Much of the resources are other capital grants and transfers at Kshs636.9 million. What criterion is being used in selecting beneficiaries? What remedies does the ministry use to vet the selection process since there is open abuse at most grassroots leading to non deserving cases benefitting at the expense of the deserving cases?
 - i) Head 903, Community based nutrition programme, the allocation reduced from kshs.10 million to Kshs3.8 million. What is the criterion for selection of districts to benefit from the programme?
 - j) Head 904, Social Welfare, - the allocation reduced form Kshs305.5 million to Kshs189 million on account of specialized materials form Khs185 million to Khss169 million that is funded by WFP. Is the loan a grant and what are the conditions attached to it?
 - k) Head 906, vocational training, - the allocation increased slightly from Kshs29.5 million to Kshs34 million. This is on account of purchase of specialized plant at Kshs32.6 million. There being no allocation to the unit in the outer years, does the ministry intend to scrap the unit?
 - l) Head 909, District Administrative Services, - the construction of building allocations increased from Kshs40 million to Kshs 60 million. Where is the building being constructed? What is the estimated cost? And how long will it take to be completed?
 - m) Head 122, Headquarters Administrative Services, - the allocation increased form Kshs1,741 million to Kshs2, 230 million. New item, other capital grants at Kshs1,774 million for orphans and vulnerable children services. This is funded by UNICEF, Gok, IDA and various donors. What criterion is being used in selecting the beneficiaries? What remedies does the ministry use to vet the selection process and what is the sustainability of the project?

- n) Head 126, Street children rehabilitation centre, - the allocation increased slightly from Kshs42 million to Kshs43 million and reduces to Kshs16 million in the medium term, what criterion defines the spatial distribution of the rehabilitation centre's in the districts? What is the status of these centre's and how effective are they fulfilling their objectives since there seems to be many street children back to towns and estates?
- o) Head 148, District Children's services, - the construction of buildings allocation increased from Kshs40 million to Kshs60 million and increase in the medium term, where is the building being constructed? What is the estimated cost and how long will it take to be completed?

4. Issues for the Ministry of State for National Heritage

- a) How far has the Ministry addressed audit issues raised by the Controller and Auditor General in their last report FY 2007/08?
- b) Can the Ministry inform the Committee the achievement levels with the resources allocated to it in 2009/10 generally and under the following programmes?
- c) Key Expected Outputs 2009/10
 - National Heritage and Culture;
 - Number of statues for honoring heroes constructed
 - Study carried out on economic potential of culture
 - Public records and Library Services;
 - libraries completed
 - The number of documents digitized and documents microfilmed for preservation
 - The number of researchers and members of the public provided with archival materials
 - The number of additional books stocked
 - Coordination and Regulation of NGOs sector;
 - How many regional offices opened
- d) Head 353, District records management services, - the allocation slightly scaled up from Kshs13.27 million to Kshs17.52 million. Do the newly created districts all have records management service? If no when will they have?
- e) Head 595, Non Governmental Organizations, - the current grants remain constant at Kshs110 million. How accountable are the NGOs operating in Kenya, what is the level of oversight by the Government over the NGOs?
- f) 495 Museums Headquarters and regional museums, - provision of current grants remain constant at Kshs560 million. The institute of Primate research is provided for, what is the work of the institute, where is it based and how far has its objectives been achieved?
- g) Head 849, Permanent Presidential Commission on Music, - the allocation scale down from Kshs52.55 million to Kshs37.9 million, does this unit provide any relevant service to Kenyans?
- h) Head 925 District Cultural Services, - there is a minor reduction from Kshs45.47 million to Kshs41.79 million. Are these cultural services available in all the districts?

- i) Head 913, Library service, - the current grants remain almost constant at Kshs550 million. How has the presence of library services contributed to the enhancements of literacy levels in Kenya? What future expansion of library services does the ministry have?
- j) Head 494, National Archives, - the allocation slightly scaled up from Kshs71.3 million to Kshs74 million. What is the ministry doing to return archival materials which are lying in foreign countries e.g. Britain and Germany?
- k) Head 495, Museums headquarters and regional museums, - provisions for this heads lightly increased. Where is the building being constructed, what is the total cost and when will the building be completed?

5. Issues for the Ministry of Youth Affairs and Sports

- a) How far has the Ministry implemented audit issues raised by the Controller and Auditor General in the last audited accounts of 2007/08?
- b) The implementation progress of the Ministry programmes financed in 2009/10 on;-

1. Youth Development and Empowerment Services;

- Skilled youth graduating from NYS
- Barracks/kitchens/messes/officer's houses constructed, rehabilitated and equipped
- Youth polytechnics rehabilitated and equipped
- Youth polytechnics benefitting from the subsidized youth tuition
- Youth empowerment centers'/field offices constructed
- Youth empowered through sensitization, entrepreneurship skills and trees for jobs programme.
- Funding for youth enterprises.
- What is the Ministry doing to ensure 100% compliance in loan repayment to ensure sustainability of the Youth Fund programme and encourage independence among the youth?
- The achievement levels of the state corporation (Sports Stadia Management Board and Youth Enterprise Development Fund)? How do they appropriate their surplus budgets

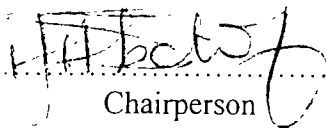
2. Management of sports facilities;

- No. of youths identified and trained in sports skills
 - Participation in international sports and events.
 - Community sports grounds developed/rehabilitated
- c) Head 904, Youth development services, - the allocation has reduced towards basic salaries for permanent employees. What is the status of the youth enterprise fund that continues to be funded to the tune of Kshs165 million? What is the loan delinquency rate? To what extent has the fund been successful in terms of employment creation?
 - d) Head 358, NYS training units, - the allocation has remained the same at Kshs170 million, what is the purpose of these construction works?

- e) Head 689, Youth polytechnics training services, - the allocation has increased by 18%. How many polytechnics have been built to date? What is the spatial distribution?

MIN: 89/2010 ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at one fifteen o'clock.

Signature.....  Date

Chairperson

MINUTES OF THE FORTY SECOND SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON THURSDAY JULY 01, 2010 IN COMMITTEE ROOM FIFTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 10.00 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Elijah Lagat, M.P.
The Hon. Gideon Konchella, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant
Mr. Odongo – Budget Office
Mr. Muthengi – Budget Office

MIN 90/2010 DELIBERATIONS WITH THE MINISTER OF STATE FOR SPECIAL PROGRAMMES, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

Hon. Naomi Shaban, M.P. – Minister for Special Programmes accompanied by:-
Hon. Mahamud Mohammed, M.P. – Asst. Minister
Mr. A.A.O. Mondoh – Permanent Secretary
Mr. Peter Eripete – AG. Director M&R
Mr. Dennis Kamuren – Deputy Director (C & A) NACC
Ms. Pamela Ongwae – National Project Co. ADB Fund Project
Mr. David Kibe Kariuki – AG. NPC WKCDD/FMP
Mr. Ibrahim A. Maalim – SDS Relief and Rehabilitation
Mr. Calvin Shivanga – CFO Administration/Finance
Mr. M.C. Gitari – SDS Administration
Mr. T.M. Mocha – CEO/Secretary National Humanitarian Fund and
Ms. Kagendo Marangu – DDHRM.

Informed the Committee that:-

- i. The Ministry has not been allocated money to pay the IDPs Kshs25,000 and Kshs10,000. They have only been allocated money for purchase of building

materials. The Ministry had requested for a budget of 2.3 billion to resettle the IDPs but they were given 145 million so it will not be possible to resettle all the IDPs.

- ii. There is no budget that was allocated to the Ministry of State for Special Programmes to cater for the Mau Forest evictees. However a budget was allocated to the Ministry of land for purchase of land. The Ministry of State for Special Programmes will however continue giving humanitarian aid to the evictees. and There was no allocation for disaster risk reduction.
- iii. The Disaster Operation Centre is in the Ministry of State for Provincial Administration and has no funding either.
- iv. On the Western Kenya Community Development and Flood Mitigation(WKCDD&FMP) project the Ministry expects that the project will start as soon as the World Bank approves its continuation; however the project has only been allocated 228 million so the money will not be enough to complete the project.
- v. The comprehensive action plans that the Ministry will take when the WKCDD&FMP restarts to avoid misuse of funds include strengthening of the internal controls, bringing on board internal auditors and committees for monitoring and evaluating the projects. Further, Staff who had problems were suspended and other fourteen officers have been sacked and others have been taken to court. Meanwhile, treasury has promised to put back the Kshs5 million that was misappropriated. However there is a challenge in that treasury has not taken action on its officers, i.e the districts accountants and the internal auditors who were involved with the project.
- vi. The WKCDD&FMP money is a loan from the World Bank which the Kenyan Government will pay.
- vii. The boats that were bought for the use in evacuating floods victims in Budalangi were six in number and their total cost was Kshs1.9 million and 1.4 million was paid. Engines for the boats are yet to be procured.
- viii. The land for the IDPs was supposed to be purchased by the Ministry of Land, but the funds were placed under the Trustee Fund of the Ministry of Land.
- ix. The dykes in Budalangi were constructed a long time ago but recently repairs are being carried out. The Ministry of Water and Irrigation which is mandated to maintain dykes but in the element of WKCDD&FMP the Ministry of State for Special Programmes is supposed to reconstruct the dykes.
- x. The Ministry did not have the exact figures of the cost of WKCDD&FMP as requested by the Committee so the Ministry promised to have a report of the same

submitted to the Committee at a later date. The Committee agreed not to pass the Ministry's budget until they submit the report.

- xi. Kenyans are being given relief food despite the good rains. The recovery process takes long especially for the cattle farmers. Also IDPs and children homes get the relief and Kshs1 million that was allocated to the Ministry is not enough so the reduction will impact on relief assistance.
- xii. The reduction in budget will affect the Ministry and will not be able to buy enough stock for the grain reserves, will only manage to buy 300,000 bags. Further the Ministry of Public Health and Agriculture are the ones mandated to deal with the bad maize. The Ministry of State for Special Programmes buys only the good maize.
- xiii. The two Ministries are further responsible for destroying the bad maize, but NEMA doesn't want the maize burnt. The Committee was informed that reverting the state of the maize that is contaminated is a very expensive process. And further that the Ministry of Agriculture has been allocated money for buying maize driers for futures harvests to avoid aflotoxin contamination.
- xiv. The Ministry accounts were audited. The Ministry was asked to avail to the Committee the audited reports.
- xv. The Committee resolved to hold another meeting with the Minister on Friday July 9, 2010 at 2.30 p.m.

MIN: 91/2010 ADJOURNMENT

And there being no other business, the Chairperson adjourned the meeting at forty five minutes past one O'clock.

Signature.......... Date

Chairperson

MINUTES OF THE FORTY THIRD SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY JULY 02, 2010 IN COMMITTEE ROOM FIFTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 10.00 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Elijah Lagat, M.P.
The Hon. Gideon Konchella, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant
Mr. Martin Masinde – Budget Office
Mr. Muthengi – Budget Office

**MIN 92/2010 DELIBERATIONS WITH THE MINISTER FOR LABOUR
MINISTRY'S FINANCIAL ESTIMATES 2010/2011**

Hon. John Munyes, M.P. – Minister for Labour accompanied by:-
Mr. Baetrice Kituyi – Permanent Secretary
Mr. Francis Minda Gataka – Ag Director Industrial Training
Mr. Peter Muhia – Finance Officer
Ms. Hellen Wasilwa – Registrar Industrial Court of Kenya
Ms. Purity W. Kamau – H/PCK Productivity Center Kenya
Mr. Pius W. Makhonge – Director Occupational Safety and Health Services
Mr. Ezekiel Kitivo – Ag. Director HR Planning and Development
Mr. Isahiah B. Kirigwa – Snr. Deputy Labour Commission
Mr. G.A. Kamasara – Chief Finance Officer
Ms. Winnie Karingithi – Chief Economics
Mr. John K. Njoro – PHRMO
Mr. Kennedy Sakwa – AD-HRD
Mrs. Alice O. Tabu – DLC/GRO and
Mr. Nehemia M. Mwashu – DDMSED

Informed the Committee that:-

Vo
fund

- i. The Ministry is facing the following challenges:
 - Low budgetary allocation
 - Inadequate staffing levels both at the headquarters and the field
 - Inadequate capacity to operationalize the new labour laws
 - Jua Kali Sector being transferred to the Ministry of Industrialization
 - Dilapidated Industrial Training Centres
- ii. The NSSF has achieved a lot. This financial year they received Kshs14 million. NSSF however stand to lose the Mlolongo road property. The Ministry has rent arrears of Kshs94 million owed to NSSF and the Ministry is not funded adequately to enable them pay the rent.
- iii. There no current manpower survey as the last was done twenty years. It is however budgeted for this year but may not be done to completion because the funds allocated are not enough. The Ministry requested for Kshs7 billion but was given Kshs2.3 billion. The Committee was informed that market survey is at pilot stage and will be rolled out to the whole country in August 2010.
- iv. The expected outputs for financial year 2009/2010 were incomplete due to underfunding. The Ministry however promised to use the money allocated to complete some outputs like;-

Promotion of Best Labour Practices;

- Resolving Labour and trade disputes
- Policy on child labour developed and implemented
- National Occupational Safety and Health at workplace Policy approved and operational.

Manpower Planning Development, Utilization and Productivity Management,

- Job seekers placed through the public employment system
- MSE worksites upgraded and developed
- 2,000 MSEs exposed to local and international exhibitions
- 8 MSEs Centres of Excellence established,

Policy, Planning and Administration,

- Upgrading and refurbishment of industrial training centres
- Industrial Attachment for trainees,

Human Resource Management and Development,

- 5,000 Civil servants trained
- 100 Career guidelines Developed
- 30 ministries/departments studied for organizational structures reports
- A registry Management Software system developed
- Revised performance appraisal system for the service

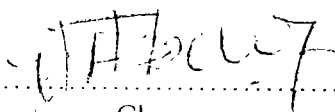
ational training center is at Athi River. The money allocated for the project is a
 ling form the Korean Government The project will take two years to complete.

- vi. The budget on travel was reduced. This will impact negatively on the Ministry's capacity to attend international meetings.
- vii. The Ministry wanted to have 3 regional industrial courts but with the money allocated they will only manage to build one at Kisumu.
- viii. The Ministry feels that the Productivity Centre should be made into a state cooperation as it has some concrete outputs such as training of productivity service providers. It has programmes in productivity which have already been introduced in ten private companies.
- ix. There is one stop shop for youth trying to get employment in foreign countries that the Ministry has set up. There is a website of Kshs10 million and the Ministry is working with the Ministry of foreign Affairs on the same.
- x. The Ministry of Labour is budgeted in the context of human resource development and is put together with education and health. The Ministry of education gets substantial resources on teachers' salaries, free education, issues of paying doctors and buying drugs. However there is a micro economic group which determines what should be given to each sector and there is need to relook at that level what goes to each Ministry.

MIN: 93/2010

ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at fifteen minutes to one o'clock.

Signature.......... Date

Chairperson

MINUTES OF THE FORTY FOURTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON THURSDAY JULY 08, 2010 IN COMMITTEE ROOM FOURTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 10.00 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Gideon Konchella, M.P.

ABSENT WITH APOLYGY

The Hon. Elijah Lagat, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

PRAYERS

MIN 94/2010 DELIBERATIONS WITH THE MINISTER OF STATE FOR NATIONAL HERITAGE AND CULTURE, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

Hon. Wilfred Ombui M.P. – Asst. Minister for National Heritage and Culture accompanied

by:-

Dr. Jacob Ole Miaron – PS
Fredrick Musembi – Finance Officer BSD
Ms. Ann Gakuria – Senior Deputy Secretary
Mr. Kennedy Nduigah – AG Chief Finance Officer
Mr. Stephen Karani – Budget Officer Treasury and,
Mr. Sebastain Namuju – Public Relations Officer

Informed the Committee that key Outputs for 2009/10 were:-

- i. Two statutes were supposed to be put up but the budgetary allocation was Kshs7 million and one statue cost Kshs5 million. So the Ministry was only able to put up a

National Monument for Fred Kubai of the Kapenguria six. The Ministry is now left with Kungu Karumba of the Kapenguria six but it is not possible to establish where he was buried. The Ministry is still discussing with the family so as to agree on where to put his statue in this financial year.

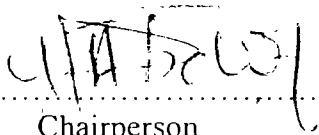
- ii. A study on the economic importance of culture was commissioned by KIPRA and the Ministry will get the report by July 15, 2010 and the final report in August 2010. Two ultra modern libraries have been completed and will be opened in October One is in Nakuru.
- iii. Major digitization has been done for three million documents. A hundred documents haven't been digitalized but that will be done before the end of this financial year. The target of having six thousands researchers was achieved because they are the visitors who visit the library and the National Archives. The Ministry had planned to buy 140,300 books but they were able to buy only 83,000 books with the available funds.
- iv. The NGOs were to decentralize to provinces and districts. One office was built in Isiolo, Kisumu and the programme is ongoing. NGOs are an important aspect of development. There is uncertainty on oversight of the NGO Board, the Ministry has however started a programme for constructing regional offices for better oversight services.
- v. The Institute of Primate Research is the only one of its kind in Africa. It is a very important institute because until recently (1990) it is the only institute that was being used by researchers on biomedical. Any medicine that is used on human beings has to be tested and the tests are done on monkeys at the institute. It has however been neglected and currently it is not in use. There is a need to invest in the institute so as to ensure that it is accredited nationally and to the European Union The institute has been used to develop some medications that are currently in use and stocked in the chemists.
- vi. The Presidential Music Commission has developed into a department of music. It a very important department because all the musician in Kenya pass through the department for accreditation The department however doesn't have any political visibility currently. The Commission's mandate was expanded in the last two years to offer youth training in various parts of the country and it has started in Mombasa, Nakuru and will be in Kisumu this year. The Commission identifies skills for youth who are out of school and they build those skills. The Commission still organizes entertainment for all state functions and that there is a policy coming up that proposes to change the name of the commission.
- vii. The Ministry wishes to establish culture centres in very constituency which will include libraries. In this financial year, the centers will be constructed in 8 districts in the eight provinces

- viii. The Ministry intends to request all the Members of Parliament to put up the libraries in every constituency and then the Ministry will provide the technical staff and books.
- ix. The Ministry has documentary documents and artifacts in foreign countries. According to the UNESCO rules some of them belong to those countries. The Minister informed the Committee that they will use diplomacy as they have done before to get the artifacts that are still in foreign countries.
- x. The constructions under head 495 are at various places such as the headquarters of the National Museums of Kenya where there is a construction of a perimeter wall, rehabilitation of the Nairobi snake park, refurbishment of uhuru gardens, refurbishment of Mzee Jomo Kenyatta Monument, refurbishment of DC's office Malindi, refurbishment of Kitale gallery, refurbishment of Lamu museum, refurbishment of Njuri Ncheke headquarters, refurbishment of Kenyatta house Lodwar and refurbishment of Nakuru snake park.
- xi. The Ministry intended to build 16 cultural centers some of them in Nyeri, Kilifi, Matuga, Tana River, Kisumu, Samia, Bungoma, Kakamega, Embu among other areas and the centres are at various levels of completion.

MIN: 95/2010

ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at twelve o'clock.

Signature..........Date.....
 Chairperson

MINUTES OF THE FORTY FIFTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY JULY 02, 2010 IN COMMITTEE ROOM FIFTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 3.00 P.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Elijah Lagat, M.P. eighth
The Hon. Gideon Konchella, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

MIN 96/2010 DELIBERATIONS WITH THE MINISTER FOR YOUTH AFFAIRS AND SPORTS, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

Hon. Hellen Sambili, M.P. – Minister for Youth Affairs and Sports accompanied by;-
Mr. Joseph Kirima – Assistant Commissioner of Sports
Mr. George Mbogo – Asst. D.V Youth Training
Mr. Issac Odek – PYTO
Dr. Dinah Mwinzi – Director Training
Mr. T.G. Gakuu – Chief Economist
Mr. Umuro Wario – CEO YEDFB
Mr. Arthur C. Nduati – SPFO
Mr. Jonathan Soi – Senior Deputy Secretary
Mr. J.K Mwanja, CBS – Director, NYS
Mr. S.M. Wachenje – Snr Asst Director NYS
Ms. Ann Mukoma – Deputy Director Youth Development
Mr. Francis K. Nderitu – PYDO Youth Development
Mr. Willis Ombima Ayub – PYDO Youth Development and
Mr. Benjamin K. Sogomo – CEO Sports Stadia Management Board

Informed the Committee that:-

- i. Thirty seven youth polytechnics were rehabilitated and are at various stages of completion. 113 youth polytechnics were equipped and 504 youth polytechnics

benefitted from the subsidized youth Polytechnic Tuition to a total of Kshs 871,100,000.

- ii. Instructors were recruited and more will be recruited this year. There are three types of instructors depending on who pays them as follows; Public service commission paid instructors, Board of Governors with the support of Government paid instructors and Board of Governance paid instructors. The instructor remuneration ranges from Kshs16,000 – Kshs24,000 depending on the job group. The top up from the Government ranges between Ksh2700 and Kshs4200. There is a shortage of 4000 instructors currently but an advert was placed in the newspapers to fill in the position of 82 instructors in the last financial year and in FY 2010/11 2000 instructors will be recruited.
- iii. The criteria for choosing the districts to benefit form KKV is as follows; regional balance; availability of land; availability of money and provincial support. By the time KKV gets to phase three all the districts in Kenya will have been covered
- iv. KKV was at pilot stage last year and was a project dealing with drought. In the current financial year it has been enhanced with money from the World Bank coordinated by the Office of the Prime Minister which will go through KEPSA. The Minister felt that the youth will be empowered because the money is a lot.
- v. KKV is coordinated by the Office of the Prime Minister. The Ministries of Roads, Public Works, Fisheries, Water and Irrigation and Forestry were involved in the implementation of KKV in the last financial year. The Ministry of Youth Affairs and Sports implemented only trees for jobs. There was a manual from the Office of the Prime Minister indicating that the role of the Ministry of Youth Affairs and Sports was to coordinate and that there is a cabinet memo that has been developed so as to include the skilled youths.
- vi. the 9th Parliament a model polytechnic was selected for every constituency. The youth polytechnic subsidized tuition money goes to the model polytechnic and to all the registered youth polytechnics and is only meant for tuition. The money that goes to a certain district or constituency depends on the number of student who are enrolled in the registered youth polytechnics.
- vii. The Youth Enterprise Development Fund Board resigned due to conflicts between the management and the Board. The Minister wrote to the Prime Minister asking that an audit report be done on the fund. Investigations were done and the CEO was cleared. The Board of Management was offended that the CEO had been cleared hence they spent Kshs3 million and resigned one week before the end of their term.
- viii. The Minister was shocked at the revelation that the districts youth officers are not privy to what the bank is doing with the tax payers money and that most of the intended youths were not benefitting from the money. The Ministry promised to channel less money to the financial intermediaries and to have them adhere to charging only the agreed 8% interest rate and have them agree to give the district

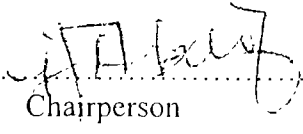
youth officers all the necessary information. The financial intermediaries that will not adhere to this will be struck out.

- ix. The southern dyke in Budalangi which has not breached was repaired earlier by the NYS in the year 2007/08 but currently the NYS is not repairing the dykes there.
- x. In FY 2009/10 the NYS department was given Kshs80 million to recruit youth for basic training 5219 service men/women were recruited from all over the country. They all graduated in Feb 2010. Some 830 service men/women were taken for supervision and graduated in June 2010. Other 4000 were taken for skills training (diploma and higher diploma). So the total number of youths trained in the FY 2009/10 was 8400.
- xi. Due to last year's drought, the NYS offered transport for relief of food from NCB. In March 2010, transport was withdrawn but was taken back to Turkana in May 2010.
- xii. The Committee resolved to adjourn the meeting and asked the Minister to come with all the answers to the questions on Friday July 9, 2010 at 10.00 a.m.

MIN: 97/2010

ADJOURNMENT

And there being no other business, the Chairperson adjourned the meeting at ten minutes to six o'clock.

Signature..........Date.....
Chairperson

MINUTES OF THE FORTY SIXTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON WEDNESDAY JULY 07, 2010 IN MAIN CONFERENCE ROOM COUNTY HALL, PARLIAMENT BUILDING AT 12.00 NOON

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Gideon Konchella, M.P.
The Hon. Elijah Lagat, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.
The Hon. Alfred Odhiambo

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

MIN 98/2010 DELIBERATIONS WITH WESTERN KENYA MPs ON THE WESTERN KENYA COMMUNITY DRIVEN DEVELOPMENT AND FLOOD MITIGATION PROJECTS (WKCDD&FMP)

The Hon. Dr. David Eseli, M.P., the Yusuf Chanzu MP and the Hon David Esiali MP, Informed the Committee that:-

- i. The Western Kenya Community Driven Development and Flood Mitigation Projects (WKCDD&FMP) programme came up due to the poverty in Western Kenya. It is the single largest donor funded programme to take place in Western Kenya. By 2007 the programme was ongoing and some of the area Members of Parliament had several meetings with the community to prioritize what the community wanted to achieve.
- ii. When the project stalled the officers were also suspended from working thus the programme did not have any monitoring and evaluation going on and some people misused the money.
- iii. The reason behind the suspension of the project by the Ministry of finance was due to misuse of funds, which was revealed after the World Bank instituted an audit. However the Committee should note that World Bank had a monitoring

programme and they had earlier said that the programme was doing well. The audit report revealed that Kshs54 million was missing, however with the validation report, Kshs11 million was misused and Kshs5 million was lost.

- iv. It was not good enough to suspend the programme due to misuse of Kshs eleven million out of Kshs1.2 billion. Most officers were cleared by the validation report. However the World Bank still wrote a letter saying that their contracts should be terminated.
- v. Despite the fact that the rains were so much this year, it should be noted that other parts of the country flooded but Budalangi did not flood.
- vi. When the project was on, it had a major impact on the community. The project is very important for Western Kenya. It had a unique approach on development and conservation. Training was carried out very well and leaders met to endorse the projects and the districts committees were there. However the community interest has gone down and the damage caused is irreparable.
- vii. The headquarters of the project was put in Nairobi. It should be in Western Kenya to cut on usage of money of people travelling to and from Nairobi to Western Kenya. Participation of the Members of Parliament in the project should be clearly spelt out.
- viii. The Committee should hold a joint meeting with PAC and call the World Bank, the Ministry of Finance and the suspended officers so as to try and resolve the issues at hand and to have the project back running.

MIN: 99/2010

ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at one o'clock.

Signature..... Date


Chairperson

MINUTES OF THE FORTY SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON THURSDAY JULY 08, 2010 IN COMMITTEE ROOM FOURTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 10.20 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT WITH APOLYGY

The Hon. Gideon Konchella, M.P.
The Hon. Elijah Lagat, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

MIN 100/2010 DELIBERATIONS WITH THE MINISTER FOR GENDER, CHILDREN AND SOCIAL DEVELOPMENT, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

The Hon. Esther Murugi, M.P. – Minister for Gender, Children and Social Development accompanied by:-
Dr. James Nyikal Pemenant secretary,
Mr. Mwakio Right – Director G&SDO
Mr. Ambrose R. M. Ongango – Finance/ MGCSD/PFO
Mr. Festus N. Kamau – Accounts/ MGCSD/PA
Mr. Protus Onyango – Gender Div
Mr. George Muhoro – ICT/MGCSD/SICTO
Mr. Thomas K. Busiene – Finance/MGCSD/FO
Mr. Peter Muchai – Children Services
Mr. Martin Mwiti – Administration/U.S
Mr. B. Mutugi – Admin SDS
Mr. E. Ndirangu – Planning DCE
Mr. S.T. Wainanina – CEO/Director WEF

Dr. Regina G. Mwatha Karega – NCGD
Mr. Noah M.O. Sanganyi – Children’s Department/ SAD
Ms. Kellen Karanu – National Council Children Services
Mr. Adrew Naktari – Head HRM
Mr. Peterlis Nyatuga – NCGD
Prof. Jacqueline Oduol – Secretary Children Affairs

Informed the Committee that:-

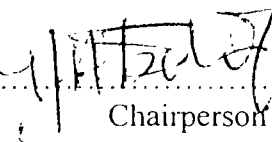
- i. The slum feeding programme proposal was rejected at the Cabinet level. The Ministry however hopes that the same will be approved this year.
- ii. The Ministry was able to come up with various policies which are at various levels of formulation:
 - Community development policy is at cabinet subcommittee level. The Ministry will work together with the Ministry of Planning on this.
 - Social protection policy –is at the subcommittee level. The ministry will bring on board the Ministries of Labour and Medical Services.
 - Female Genital Mutilation policy passed the cabinet level and the Ministry is preparing a sessional paper for tabling in Parliament.
- iii. The cash transfer for the elderly people is a pilot project. The criteria used is very open and the community has to vet the members who are selected to be the beneficiaries.
- iv. The Ministry is aware that there many children homes that are not registered and especially in Mombasa where every other house is a children’s home. Most of those homes do not meet the requirement for registration. The Ministry has to that effect closed several homes that are not registered. The Ministry will however not allow opening of more children’s homes.
- v. The Ministry while implementing the women enterprise fund and other projects sidelined the Members of Parliament because in some constituencies, the Members asked their constituents not to repay the money given by the women enterprise fund.
- vi. The Kshs200 million that Parliament passed for disbursement to the persons with disabilities were not disbursed in the last financial year. However the cheques were disbursed on Thursday July 07, 2010. Every province will get an extra of Kshs5 million besides what has been disbursed through the National Disability Trustee.
- vii. African rehabilitation institute of African Union has its centre here in Kenya. The ministry makes monetary contributions to it. The Institute has requested that they hold a meeting for the member countries here in Kenya next year. Once the Institute gets fully established, African Union will run it.

- viii. The Ministry during the last financial year employed 416 staff of different carders'. The positions were distributed per districts and the Ministry followed the 30% 70% gender directive. The Ministry intends to recruit a similar number in this financial year, but still the officers will not be enough especially with the creation of the new districts.
- ix. The criteria for selecting the beneficiaries of cash transfer for the vulnerable and orphaned children is an open one. The Ministry uses the household budgetary survey combined with vulnerability of the children and priority is given to child headed households, elderly headed households and terminally ill headed households.
- x. All Kenyan women can apply for the women enterprise fund provided they have a viable business idea or if they have a business that they want to expand. Every constituency was allocated Kshs2 million. So far Kshs239 million has been disbursed. In some constituencies the uptake is low and only 17 constituencies have exhausted their two million
- xi. The Ministry approved for disbursement of the women enterprise fund, financial intermediaries that are only SACCO. For a SACCO to be approved it has to have been in operation for a period of 2 -3 years. If it has been in operation for a less period it has to form a consortium with a larger bank. The Ministry will review the period considered for a SACCO to approve disbursement to the women groups' money so as to make it easy for constituencies to get the money.
- xii. On non repayment of loans, the women enterprise fund board put up an advertisement in the newspaper for sixty four volunteer to educate the women on importance of paying the loans. The Ministry has only received thirtyone replies and there were no replies from North Easter province and only two from Coast province yet they are the largest defaulters.

MIN: 101/2010

ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at ten minutes to one o'clock.

Signature  Date

Chairperson

MINUTES OF THE FORTY EIGHTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY JULY 09, 2010 IN COMMITTEE ROOM FOURTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 09.42 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT WITH APOLYGY

The Hon. Gideon Konchella, M.P.
The Hon. Elijah Lagat, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

MIN 102/2010 DELIBERATIONS WITH THE MINISTER FOR YOUTH AFFAIRS AND SPORTS, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

Hon. Hellen Sambili, M.P. – Minister for Youth Affairs and Sports accompanied by:-
Mr. Jonathan Soi – Senior Deputy Secretary
Mr. Issac Odek – PYTO
Dr. Dinah Mwinzi – Director Training
Mr. T.G. Gakuu – Chief Economist
Mr. Umuro Wario – CEO YEDFB
Mr. Arthur C. Nduati – SPFO
Mr. J.K Mwanja, CBS – Director, NYS
Mr. S.M. Wachenje – Snr Asst Director NYS
Ms. Ann Mukoma – Deputy Director Youth Development
Mr. Francis K. Nderitu – PYDO Youth Development
Mr. Willis Ombima Ayub – PYDO Youth Development
Prof. W. Langat – Secretary Sports
Mr. Maina Ndweka – Company Secretary, Youth Fund

Mr. Japhet K. Mwanja – D/NYS ,
Mr. Kimathi P. Nkabu – Finance Secretary and,
Mr. George Mbogo – Asst. D.V Youth Training

Informed the Committee that:-

- i. Calendar of events for the Ministry of Youth Affairs and Sports for this year are;
 - Rover Moot to be held from July 27 to August 07, 2010
 - First African Youth Games – Morocco July 13 to 18, 2010
 - Seventeenth African Athletics Championships - Nairobi July 28 to August 01, 2010
 - First Youth Olympics – Singapore August 14 to 26, 2010
 - A.K. National Trials – Nairobi August 28, 2010
 - Commonwealth Games – New Delhi, India October 03 to 14, 2010
- ii. The criterion for selecting KKV districts is as follows:
 - Regional balance and equity
 - Availability of funds from the exchequer
 - Support from Provincial Administration and local community
 - Availability of land
 - Areas with hydro power dams (for the ministry of energy component)
 - Marginalized areas – ASAL
- iii. KKV is sustainable because of the following:

Goodwill from the youth and the Community at large; high demand for the programme due to unemployment; continued government support as evidenced by continued allocation in the national budget; growing interest from developing partners e.g. World Bank and IDA among other reasons.
- iv. The Kenya Youth Empowerment Project (KYEP) is a project that will be financed through a loan totaling to US\$60 million (Kshs4.8 billion) and implemented for four years. The project is aimed at enabling vulnerable youth to access the means for economic empowerment. The loan has been approved and the project launched on 30th June 2010. The project has three components;
 - **Labour intensive works and social services which will expand KKV** and the implementing ministries will be; Ministry of Roads, Ministry of Water and Irrigation, Ministry of Environment, Ministry of Local Government, Ministry of Regional Development Authorities and Ministry of Forestry and Wildlife.
 - **Sector Internship and Training** which will provide an opportunity to gain skills.
 - **Monitoring and Policy Development** which will be implemented through training of districts, audits, technical support to the National Youth Council and communication activities to increase

awareness of the projects. The overall coordination will be the responsibility of the Office of the Prime Minister.

- v. Youth Polytechnics instructors are required on the basis of curriculum based establishment (CBE). There are 750 youth polytechnics which require 6750 instructors. Currently, there only 700 Public Service Commission instructors leaving a deficit of 6,050 instructors.
- vi. The Ministry has written a cabinet memo seeking authority to recruit additional instructors and consequently the Government has allocated Kshs300 million in financial year 2010/11 to recruit 2,000 instructors on contractual terms.
- vii. The subsidized youth polytechnic tuition funds are disbursed to the youth polytechnics that meet the following conditions:
 - Are public youth polytechnics
 - Are registered by the Ministry of Youth Affairs and Sports
 - Offer full time trade/courses which are examined by the Directorate of Industrial Training (DIT) and Kenya National Examination Council (KNEC)
 - Employ or engage the services of a qualified Accounts Clerk who should hold at least Kenya Accountants Technicians Certificate (KATC) final
 - Open a separate account for subsidized youth tuition
- viii. The Constituency soccer was a onetime activity and all the 210 constituencies received an allocation of Kshs 1 million.
- ix. The criteria for selecting community grounds for rehabilitation through the trees for jobs KKV component were:
 - Consideration of projects that were not completed in the previous financial year
 - Availability of grounds
 - Priority and consent of the local community and
 - Availability of funds from the exchequer
- x. The contract between the Youth Enterprise Development Fund Board and Enablis was cancelled. The Fund had not released any money to the latter.
- xi. The District Youth Officers are aware of the operation of the financial intermediaries. What they are not aware of are details of individuals supported by the fund through them. The intermediaries are bound by confidentiality clause and only release customer's information to the Fund with which they have signed the contract. The Committee felt that the Intermediaries should not view the district youth officer as a third party and that the Ministry should strive to ensure that they share the information from the fund with the district youth officers. The Committee advised that more funds should be sent through the C YES component and not through the financial intermediaries.

- xii. If the youth enterprise development fund was performing optimally the expected performance for the CYES would be higher than is the case currently. It would however not record 98% repayment rate like for financial intermediaries because whereas the financial intermediaries are commercial entities, the fund has responsibility to every young Kenyan who has a viable enterprise, however risky it may be. The Fund endeavours to build entrepreneurs. This may not be achieved in an environment where the repayment rate is cardinal consideration.
- xiii. The Youth Enterprise Development Fund has signed a financing contract with 33 financial intermediaries to the tune of Kshs1,098,600,000. As at 30th June, 2010 the Fund had not disbursed Kshs312 million. The Fund will increasingly be channeling future resources through the constituencies and has begun putting up structures in the regions and constituencies to support the heavy loan investment. Any further engagement of financial intermediaries has been put on hold.
- xiv. The following actions are being taken by the Ministry on the audit queries.

Youth Enterprise Development Fund, Low recovery levels of the C-YES;

- *Opening of proposed 25 office regions countrywide*
- *Facilitating of the youth officers to do monitoring and evaluation and recovery campaigns*
- *Engaging of two interns per constituency*

Unsupported expenditure;

- *Most of the expenditure was incurred when the fund was still under the ministry and reconciliation of records is in process*
- *KACC investigations are on going on some cases*

Security perfection to financial intermediaries;

- *Fund in the process of finalizing security documentation*

Disbursements to financial institutions that have not been complying with the agreements;

- *Contracts for such institutions shall not be renewed and future contracts include stringent/ punitive measures to curb such occurrences*

Risk based systems issues;

- *There is a task force that is monitoring the implementation of all issues raised,*
- *Preparation of annual procurement plans*

Un surrendered imprests

- *No issuing of imprests to officers with outstanding imprest*
- *Recoveries of un surrendered imprests done form salaries*

Accumulation of pending bills;

- *Timely procurement of goods and services to avoid last minute rash*
- *Payment only done for delivered and certified goods*

Writing cheques for undelivered goods;

- *Implementation of the electronic transfer so no cheques held.*

Accuracy of Appropriation account;

- *Appropriate adjustments, reconciliations done to the satisfaction of the public accounts committee.*

Non maintenance of books of accounts for the NYS mechanical and Transport Fund, legal status of fun;

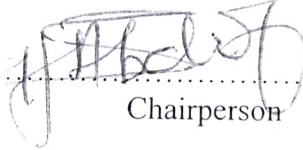
- *Engagement with Treasury to gazette the fund,*
- *Attachment of National Youth Service Staff to the ministry of Roads,*

MIN: 103/2010

ADJOURNMENT

And there being no other business, the Chairperson thanked all the Members and adjourned the meeting at eleven o'clock.

Signature.....Date.....


Chairperson

MINUTES OF THE FORTY NINTH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY JULY 09, 2010 IN COMMITTEE ROOM FOURTH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDING AT 11.00 A.M.

MEMBERS PRESENT

The Hon. Sophia Abdi Noor, M.P. – **Chairperson**
The Hon. Lenny Kivuti, M.P. – **Vice Chairperson**
The Hon. Joseph Magwanga, M.P.
The Hon. Alfred Odhiambo, M.P.

ABSENT WITH APOLYGY

The Hon. Gideon Konchella, M.P.
The Hon. Elijah Lagat, M.P.

ABSENT

The Hon. Clement Waibara, M.P.
The Hon. Aden Keynan, M.P.

IN-ATTENDANCE – NATIONAL ASSEMBLY

Mr. John Wanyoike – Clerk Assistant
Ms. Caroline Kinyua – Third Clerk Assistant

MIN 104/2010 DELIBERATIONS WITH THE MINISTER OF STATE FOR SPECIAL PROGRAMMES, MINISTRY'S FINANCIAL ESTIMATES 2010/2011

The Hon. Mohamud Mohamed, M.P. – Asst. Minister for Special Programmes accompanied by:-

Mr. Calvin Shavanga – CFO/Finance
Mr. David Kariuki Kibe – AG. NPC
Mr. Moses Gitari – SDS and,
Mr. Simon Wambua – WKCDD/FMP

Informed the Committee that:-

- i. Treasury gave an indication that once the Western Kenya Community Driven Development Flood Mitigation Project starts, they will consider given the required amount of money for the project for this financial year.
- ii. The summary for expenditure for the Western Kenya Community Development Driven Poverty and Flood Mitigation Projects (WKCDD&FMP) by March 31 2010 was as follows:

Expenditure Category	Amount
Civil works	155,853,617
Goods and equipment	189,900,823
CDD micro projects	96,063,185
Community foundation	0
Youth micro projects	26,668,733
Malaria micro projects	2,027,421
Catchment management micro projects	0
Consultants' services and audit	82,612,335
Training and workshops	167,360,754
Vehicle operating costs	42,002,047
Other operating costs	424,323,421
Total	1,186,812,336

iii. That the 'other operating costs' had been allocated the highest amount of money because it has very many components in it including paying of staff salaries, expenditure for construction of offices, office maintenance among other things and it was drawn from the financing agreement with World Bank.

iv. That the Government took the first disciplinary measures against staff members suspected to have been complicit in funds mismanagement when 14 staff members including the National Coordinator was suspended in the month of September 2009. The World Bank later recommended that all those who were not cleared by the validation process be separated from the project which was done in May 2010.

Further 3 officers were suspended, 8 were terminated, 1 is awaiting a court case, 2 did not have their contract renewed, 2 were reinstated after the validation report cleared them and other non project staff are having the mismanaged money being recovered from their salaries.

v. The tendering process for the six boats that were bought for the purposes of evacuating people in times of floods was done at the district level. The acquisition of the boats underwent through the legal tendering process and it is the district tender Committee that approved the purchase.

vi. A total of Kshs76,924 million cheques had not been disbursed by the time the accounts were frozen.

vii. The position of the monitoring and evaluating officer of the WKCDD&FMP had so many functions such as:

- Establishment of a system of keeping routine records
- Carrying out a baseline survey which was done and the data was useful
- Providing technical assistant to the districts coordinators to develop monitoring and evaluation framework for various components of the projects

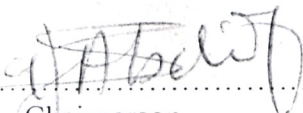
- Preparing quarterly reports and annual reports
 - Developing of the work plan and the budgets
- viii. The monitoring and evaluation reports that were prepared by the monitoring and evaluation officer are among the reasons as to why an audit of the accounts was done.
- ix. Most of the problems that were taking place in WKCDD&FMP were not easily identifiable by an ordinary person other than an auditor.
- x. The ministry will put in place the following measures once the project restarts to ensure that funds are not mismanaged again:
- Employ new officers
 - Strengthen internal controls
 - Bring on board internal auditors
 - Bring on board monitoring and evaluating committees

MIN: 105/2010

ADJOURNMENT

And there being no other business, the Chairperson adjourned the meeting at twelve O'clock.

Signature.....Date.....


Chairperson