SPECIAL ISSUE

Murang’a County Gazette Supplement No. 5 (Bills No. 4)

---

REPUBLIC OF KENYA

MURANG’A COUNTY GAZETTE SUPPLEMENT

BILLS, 2015

NAIROBI, 4th May, 2015

CONTENT

Bill for Introduction into the Murang’a County Assembly —

The Murang’a County Public Participation Bill, 2015.............................. 1

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI
THE MURANG'A COUNTY PUBLIC PARTICIPATION BILL,
2015

ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

1—Short title.
2—Interpretation.
3—Purpose of the Act.
4—Principles of public participation.

PART II—CO-ORDINATION OF PUBLIC PARTICIPATION IN
THE COUNTY ASSEMBLY

5—Public Participation Office.
6—Functions of the Public Participation Office.
7—Relevant Committee.
8—Ward forums.

PART III—CO-ORDINATION OF PUBLIC-PARTICIPATION IN
THE COUNTY EXECUTIVE

9—Establishment of the Unit.
10—Functions of Unit.
11—Staff of the Unit.

PART IV—PUBLIC PARTICIPATION PROCESS

12—Public Participation Advisory Committee.
13—Functions of the Advisory Committee.
14—Citizen forums.
15—Stakeholder engagement.
16—Stakeholder engagement plan.
17—Levels of public participation.
18—Public participation methods.
19—Public private partnership.
20—Good practices in stakeholder engagement.
21—Stakeholder mapping.
22—Electronic governance.
23—Citizens' duties and responsibilities.
24—Notices.
25—Reporting.

**PART V—PUBLIC PETITION TO COUNTY EXECUTIVE**

26—Right to petition county executive.
27—Form of petition.
28—Procedure for presenting the petition.
29—Consideration of petition.
30—Procedure of investigating or assessing the petition.
31—Publication of decision on petition.
32—Register of petitions.

**PART VI—PUBLIC PETITION TO COUNTY ASSEMBLY**

33—Right to petition county assembly.
34—Form of petition.
35—Procedure for presenting the petition.
36—Consideration of petition.
37—Publication of decision on petition.
38—Register of petitions

**PART VII—GENERAL PROVISIONS**

39—Regulations.

**SCHEDULE**—Form of a public petition.
THE MURANG'A COUNTY PUBLIC PARTICIPATION BILL, 2015

A Bill for

AN ACT of the County Assembly of Murang’a to provide for the establishment of legal framework for facilitating public participation in county government policy processes and service delivery and for connected purposes

ENACTED by the County Assembly of Murang’a, as follows—

PART I—PRELIMINARY

Short Title

1. This Act may cited as the Murang’a County Public Participation Act, 2015.

Interpretation

2. In this Act, unless the context otherwise requires—

“advisory committee” means the PublicParticipation Advisory Committee established under section 8;

“county department” means any office or department established in the county public service or under any written law;

“executive member” means the County Executive Committee Member for the time being responsible for public participation;

“public participation” includes the processes and methods designed to consult, involve and inform the public or stakeholders in order to allow those who would potentially be affected by a decision, any policy, legislation, program, project to have input into the process;

“public participation office” means the Public Participation Office in the County Assembly established under section 5;

“stakeholder” means a person or group of persons who have an interest in a public issue or who are likely to be directly or indirectly affected by a public issue, decision or policy whether negatively or positively;

“the public”, when used in relation to public participation in this Act, means—

(a) the residents of the county;

(b) the rate payers of a particular urban area;
(c) any resident civic organization or non governmental, private sector, labour organization or faith based organization with an interest in the governance of the county or an urban area; and

(d) non-resident persons who by virtue of their temporary presence in the county make use of services or facilities provided by the county or an urban area.

"the Unit" means the Public Participation Unit established under section 9.

Purpose of the Act

3. The purpose of this Act is to enhance, promote and facilitate public participation in the county government and specifically to—

(a) facilitate the implementation of constitutional provisions set out under—

(i) Article 1 on sovereignty of the people;
(ii) Article 10 on national values;
(iii) Article 35 on access to information;
(iv) Article 37 on right to petition;
(v) Article 48 on access to justice;
(vi) Article 174 on the objects of devolution;
(vii) Article 196 on public participation and County Assembly;
(viii) Article 201 on principles of public finance;
(ix) Article 232 on values and principles of public service;
(x) Section 14 of Part 2 of the Fourth Schedule to the Constitution; and
(xi) Any other provision related to public participation;

(b) give effect to public participation framework stipulated under the County Governments Act, 2012, the Public Financial Management Act, 2011 and the Urban Areas and Cities Act, 2011;

(c) promote participatory democracy;
(d) transparency and accountability in decision making;
(e) community empowerment and support;
(f) promote partnership and collaboration in public processes;
(g) enhance public awareness and understanding of government processes;
(h) reduce conflicts related public or government decisions; and
(i) enhance community ownership of public decisions.

Principles of Public Participation

4. The following principles shall guide public participation under this Act—

(a) provision of meaningful information in a format and language that is readily understandable and tailored to the needs of the target groups or stakeholders;
(b) provision of information in advance of consultation activities and decision making;
(c) mutual consultations and dialogue and exchange of views on matters affecting a community or group of persons;
(d) openness and transparency;
(e) inclusiveness in representation of views including vulnerable groups and marginalized;
(f) processes free of coercion;
(g) value for money;
(h) cost effectiveness;
(i) objectivity in engagement and non politicization of issues;
(j) constructive dialogue between county government and the public or stakeholders;
(k) clear mechanism for responding to people’s concerns, suggestions and grievances; and
(l) civic duty and responsibility.

PART II—CO-ORDINATION OF PUBLIC PARTICIPATION IN THE COUNTY ASSEMBLY

Public Participation Office

5. There is established an office to be known as the Public Participation Office which shall be an office in the county assembly service.

Functions of the Public Participation Office

6. The Public Participation Office shall be responsible for—
(a) providing support and advise to the county assembly on managing public participation process;

(b) facilitating Committees of the Assembly of the county assembly when carrying out public participation programs;

(c) preparing reports on public participation facilitated by County Assembly;

(d) facilitating and supporting other Committees of the county assembly to develop networks and partnerships with key stakeholders for the purposes of enhancing public participation;

(e) providing administrative support to the relevant committee described under section 7; and

(f) carrying out any other function that may be assigned by the County Assembly Service Board.

**Relevant Committee**

7. There shall be a relevant Committee of the County Assembly which shall be responsible for—

(a) providing general direction to the public participation processes in the County Assembly;

(b) preparing annual report on County Assembly public participation processes for consideration by the County Assembly; and

(c) providing link between the Public Participation Office and the County Assembly.

**Ward Forums**

8. (1) A member of the County Assembly shall, in accordance with the County Governments Act, in each period of six months, convene a Ward forum for the purposes of deliberating on governance, policy or service delivery matters of concern to Ward residents.

(2) The Member of the County Assembly shall, subject to subsection (4) facilitate persons with disabilities to attend and participate in the citizen forums.

(3) The member of the County Assembly shall cause a record of proceedings to be kept.

(4) The County Assembly shall provide administrative support for facilitation of the forums referred to under this section.
(5) The member of County Assembly shall submit a report of each forum to the County Assembly.

**PART III—CO-ORDINATION OF PUBLIC PARTICIPATION IN THE COUNTY EXECUTIVE**

**Establishment of the Unit**

9. There is established a unit in the Department responsible for public participation to be known as the Public Participation Unit.

**Functions of the Unit**

10. The functions of the Unit shall be to—

(a) co-ordinate and facilitate the inter-departmental collaboration in public participation process;

(b) facilitate capacity building and provide support to other county departments on public participation processes;

(c) facilitate the realization of the purpose of this Act as well as integration of the principles stipulated under section 4 in public participation processes;

(d) monitor and evaluate public participation processes undertaken by each county department or agency;

(e) sensitize the public on county structures and opportunities for public participation;

(f) co-ordinate implementation of recommendations of the advisory committee and decisions of the County Executive Committee;

(g) receive public complaints on matters related to public participation processes and liaising and coordinating with respective county departments to address the complaints;

(h) prepare an annual report on public participation in accordance with the County Governments Act;

(i) advise the Executive Member generally on the appropriate policies, plans and strategies for enhancing public participation in the county; and

(j) carry out any other function in furtherance to the purpose of this Act or as may be assigned by the Executive Member.

**Staff of the Unit**

11. The County Public Service Board shall, in consultation with the Executive Member appoint such staff as are necessary to work in the Unit.
PART IV—PUBLIC PARTICIPATION PROCESS

Public Participation Advisory Committee

12. (1) There is established a committee to be known as Public Participation Advisory Committee.

(2) The Committee shall consist of—

(a) the chief officer for the time being responsible for public participation who shall be the chairperson;

(b) the chief officer for the time being responsible for county public service: Provided that where the chief officer responsible for county public service is also responsible for public participation, the chief officer responsible for county planning be a member of the Committee;

(c) one person nominated by the professional bodies in the county and appointed by the Executive Member with the approval by the County Executive Committee;

(d) one person nominated by non governmental organizations in the county appointed by the Executive Member with the approval by the County Executive Committee;

(e) one person nominated by faith based organizations in the county appointed by the Executive Member with the approval by the County Executive Committee;

(f) one person nominated by the business community in the county appointed by the Executive Member with the approval by the County Executive Committee;

(g) one person nominated by youth organizations in the county appointed by the Executive Member with the approval by the County Executive Committee;

(h) one person nominated by organizations of persons with disabilities appointed by the Executive Member with the approval by the County Executive Committee;

(i) one person nominated by women organizations appointed by the Executive Member with the approval by the County Executive Committee;

(j) all sub-county administrators;

(k) the officer responsible for coordinating national government functions in the county; and

(l) the officer in charge of the Unit who shall be the secretary.
(3) For a person to qualify for appointment under subsection (2) (c), (d), (e), (f), (g), (h) and (i), the person must—

(a) be a holder of at least a diploma from a recognized institution;
(b) meet the requirements of chapter six of the Constitution; and
(c) must be a resident in the county.

(4) A member appointed under subsection (2) (c), (d), (e), (f), (g), (h) and (i) shall hold office for a term of three years, on such terms and conditions as may be specified in the instrument of appointment, and shall be eligible for re-appointment for a further and final term of three years.

(5) A member of the Board of Directors may—

(a) at any time resign from office by issuing notice in writing to the Executive Member;
(b) be removed from office by the Executive Member for—

(i) serious violation of the Constitution or any other written law;
(ii) gross misconduct, whether in the performance of the functions of the office or otherwise;
(iii) physical or mental incapacity to perform the functions of office;
(iv) incompetence; or
(v) bankruptcy

Functions of the Advisory Committee

13. (1) The Advisory Committee shall be responsible for—

(a) advising the Executive Member and the County Executive Committee on appropriate public participation processes, strategies and policy frameworks;
(b) providing a platform for public-private dialogue, collaboration and networking on public participation process; and
(c) monitoring and reviewing the county public participation processes and advising the Executive Member and the County Executive Committee on appropriate measures for enhancing public participation process.

(2) The Executive Member shall prescribe procedures for conduct of business for the Advisory Committee.
(3) The Unit shall provide secretariat services to the Public Participation Advisory Committee.

Citizen Forums

14. (1) There shall be citizen participation forums in—

(a) the county convened by the Governor;
(b) the Sub-county convened by the respective Sub-county administrator;
(c) the Ward convened by the respective Ward administrator;
(d) the Village convened by the respective Village administrator;
(e) each town convened by the town manager.

(2) The citizen forums stipulated under subsection (1) shall be convened at least once every six months and shall provide a platform for consultations, review and deliberation on critical matters affecting the respective level of administration.

(3) The respective persons described under subsection (1) shall—

(a) cause a record of proceedings during each citizen forum to be kept and shall ensure that where practicable, the decisions of such forums inform the decision making process by the county government; and

(b) facilitate persons with disabilities to attend and participate in the citizen forums.

(4) A Member of Parliament or a Member of the County Assembly may participate in any of the citizen forums stipulated under this Act.

Stakeholder and Public Engagement

15. Each county department, agency or Committee of the County Assembly where applicable, shall—

(a) while developing legislation, policy and development plans or designing or implementing programs or delivering services, encourage and engage the relevant stakeholders and the public;

(b) continuously report and communicate to the stakeholders and the public on the process, outcome and impact of policies, programs and services delivered; and

(c) provide or issue adequate and sufficient notice and information on the process and required proposals to stakeholders or the public where the stakeholders or the public are required to participate in an issue or forum stipulated under this Act.
Stakeholder Engagement Plan

16. (1) The County Executive Committee shall ensure that the principles stipulated under this Act and the laws specified under section 4 are integrated in each county department’s or agency’s policies, plans and service delivery processes.

(2) Each county department or agency shall, in each financial year develop and implement a stakeholder engagement plan.

(3) The stakeholder engagement plan shall provide among others for—

(a) objectives of stakeholder engagement;
(b) major issues requiring public and stakeholder engagement and participation;
(c) timeframe within which public participation would be held;
(d) process to be undertaken in stakeholder and public participation;
(e) determination of public participation method;
(f) method of providing information to the public;
(g) any other matter as the Executive Member may require.

(4) The unit shall provide technical assistance to the County Departments and agencies in preparing the stakeholder engagement plans.

Levels of Public Participation

17. (1) While carrying out public participation, a county department or agency may—

(a) inform the public in order to enhance understanding the problem, alternatives, opportunities and solutions;
(b) consult in order to obtain public feedback on analysis, alternatives and decisions;
(c) involve the public directly throughout the process to ensure that public concerns and aspirations are consistently understood and considered;
(d) collaborate with the public in each aspect of the decision, including development of alternatives and the identification of the preferred solution; or
(e) empower the public to make decision in regard to any public issue.
(2) A Committee of the County Assembly may apply the levels described under subsection (1) while carrying out public participation.

Public Participation Methods

18. A county department or agency or Committee of the County Assembly may apply any of the following public participation methods in addition to the platforms stipulated under the County Governments Act, 2012—

(a) public meetings;
(b) public hearings;
(c) workshops;
(d) citizen advisory or consultation committees;
(e) surveys;
(f) focus groups;
(g) direct mail;
(h) newsletters;
(i) invitations for public submission;
(j) partnerships and collaboration;
(k) joint auditing and evaluation of county government performance including projects audits; and
(l) internet or digital media based interactive platforms.

Public Private Partnership

19. A county department or agency may enter into public private partnership with any person for the purposes of effectively discharging a function.

Good Practices and Standards in Stakeholder Engagement

20. In facilitating public participation, a county department or agency or a Committee of the County Assembly shall adopt the following standards and good practices—

(a) stakeholder identification and analysis;
(b) information disclosure;
(c) stakeholder consultation;
(d) negotiation and partnerships;
(e) grievance management through establishing accessible and responsive means for stakeholders to raise concerns and grievances;

(f) stakeholder involvement in monitoring and evaluation of projects, programs and policies;

(g) reporting to stakeholders on performance; and

(h) efficient and strategic management of stakeholder processes.

**Stakeholder Mapping**

21. Each county department or agency or Committee of the County Assembly shall—

(a) identify and liaise with the stakeholders in its sector;

(b) maintain and publish database of the stakeholders identified under paragraph (a); and

(c) ensure continuous and effective communication with the stakeholders.

**Electronic Governance**

22. (1) Each county department or agency shall provide all applicable information, forms, documents, statistics and data through electronic system such as online or internet system, digital media, mobile communication, websites and portal in a timely, efficient and in a usable manner in order to facilitate public participation.

(2) The Executive Member responsible for information, communication and technology shall ensure that the systems referred under subsection (1) facilitate interactive engagement with county residents and are comprehensive in terms of the information provided.

**Citizens’ Duties and Responsibilities**

23. A resident or any member of the public with interest in county affairs shall have the duty and responsibility to—

(a) constructively participate in the forums and platforms created by the county government for public participation;

(b) share information and make proposals to the county government during the law, policy and decision making processes as well as service delivery mechanisms; and

(c) contribute where appropriate and practicable resources for developing or implementing public services delivery processes.
Notices

24. (1) A county department or agency and a Committee of the county assembly shall use the most appropriate communication methods or channels to notify and publicize any process, forum or issue requiring public participation under this Act.

(2) A notice issued under subsection (1) shall not be less than seven days.

(3) The Unit shall install notice boards in the most appropriate and conspicuous places in each village.

Reporting

25. (1) A county department or an agency shall prepare a report of each public participation process undertaken which shall provide for among others—

(a) the deliberations made during the process; and

(b) proposals made by the public or stakeholders.

(2) The Unit shall prepare an annual report on public participation which shall contain among others—

(a) the number of public participation forums facilitated by each county department or agency;

(b) the level of implementation of stakeholder engagement plan;

(c) the level of engagement by participants during public participation process;

(d) the level of incorporation of proposals made or issues raised by stakeholders or the public;

(e) challenges faced in the implementation of this Act and proposed mitigation measures; and

(f) any other prescribed matter.

(3) The Unit shall submit the report to the Executive Member not later than two months after the end of financial year.

(4) The Executive Member shall, within twenty one days, transmit the report to the County Executive Committee for consideration and approval.

(5) The Executive Member shall, within twenty one days after the approval of the reports under subsection (4) transmit the report to the County Assembly.
PART V—PUBLIC PETITION TO COUNTY EXECUTIVE

Right to Petition County Executive

26. This Part seeks to give effect to Article 37 of the Constitution and section 88 (1) of the County Governments Act, 2012 on the right to petition by any person.

Form of Petition

27. A petition to county executive shall be in the form set out in the Schedule and shall —

(a) be handwritten, printed or typed;
(b) be in English or Kiswahili and be written in respectful, decorous and temperate language;
(c) be free of alterations and interlineations in its text;
(d) be addressed to the County Executive Committee;
(e) have its subject-matter indicated on every sheet if it consists of more than one sheet;
(f) confirm that efforts have been made to have the matter addressed by the relevant body and that there has been no response on the matter from the relevant body or that the response has not been satisfactory;
(g) confirm that the issues in respect of which the petition is made are not pending before any court or other constitutional or legal body;
(h) conclude with a clear, proper and respectful prayer, reciting the definite object of the petitioner or petitioners in regard to the matter to which it relates;
(i) subject to paragraph (m), contain the names, addresses, identification numbers, signature or a thumb impression of the petitioner or of every petitioner, where there is more than one petitioner;
(j) contain only signatures or thumb impressions, as the case may be, and addresses and identification numbers written directly onto the petition and not pasted thereon or otherwise transferred to it;
(k) not have any letters, affidavits or other documents annexed to it;
(l) in the case of a petition presented by a Member of County Assembly on behalf of a petitioner, be countersigned by the Member presenting it; and
(m) if the petitioner is unable to sign, be signed by a witness in whose presence the petitioner shall make his or her mark or thumb impression on the petition.

**Procedure for Presenting the Petition**

28. (1) A petition to the County Executive Committee shall be submitted to the county secretary by the petitioner.

(2) The county secretary shall, within seven days of the date of receipt of the petition, review the petition to ascertain whether the petition meets the requirements of this Act.

(3) Where the county secretary considers that a petition does not comply with section 27, the county secretary may give such directions as are necessary to ensure that the petition is amended to comply with that section.

**Consideration of Petition**

29. (1) The county secretary shall, if satisfied that the petition meets the requirements of this Act, forward the petition to the County Executive Committee or the relevant department or body for consideration.

(2) The County Executive Committee or the relevant department or body may appoint a committee to investigate or assess the subject matter of the petition.

**Procedure of Investigating or Assessing the Petition**

30. (1) The County Executive Committee, the relevant body or a committee appointed in relation to a petition may hold public hearing and may—

(a) invite individuals to submit memoranda or appear before the committee to give evidence on a petition;

(b) invite any person responsible for any matter related to the petition to appear before them to give evidence relating a petition;

(c) employ qualified persons to assist it in the discharge of their functions; and

(d) where appropriate hold public hearing in relation to the petition.

(2) The evidence given by a person invited under sub section (1) shall be taken down in writing and a copy of it sent to the person who gave the evidence.

(3) The presentations and comments given during a public hearing shall be recorded and a copy of it shall be publicized by posting the copy
in a conspicuous place at the offices of the county government and on the website as the case may be:

Provided that where any information is in the opinion of the investigating committee may be deemed to be sensitive and any public disclosure may pose a threat to the person giving the evidence, the investigating committee may exclude such information from public disclosure.

(4) A person giving evidence may, within seven days from the date of receipt of the copy under sub section (2), suggest corrections to his or her evidence due to inaccurate reporting and the evidence shall be printed with such corrections as may be appropriate.

(5) The County Executive Committee, the relevant body or the committee may at its discretion refuse to hear any irrelevant evidence or to listen to any unruly or unmanageable person giving evidence.

(6) Any document received at the investigation of a petition shall not be withdrawn or altered without the knowledge and approval of the County Executive Committee.

(7) A document submitted to the investigation of a petition may be released to the person who submitted it at the conclusion of the deliberations.

(8) The committee appointed under section 24 shall, as soon as practicable after the conclusion of the investigation, submit its findings and recommendation to the County Executive Committee or the relevant body for a final decision to be made on the petition.

(9) The county secretary shall, within fifteen days of the decision of the County Executive Committee or the relevant body, in writing, notify the petitioner of the decision.

**Publication of Decision on Petition**

31. The County Secretary shall, within fourteen days after the decision is communicated to the petitioner or petitioners—

(a) give notice of the decision to the public by posting a copy in a conspicuous place at the offices of the county government;

(b) inform the public that a copy or extract of the decision is available on its website;

(c) publish the decision in the county Gazette, print or electronic media; or
(d) publish the decision in such other manner as may be appropriate for the dissemination of information.

Register of Petitions

32. (1) The county secretary shall keep and maintain a register in which shall be recorded all petitions and supporting documents, and the decisions of the county executive committee or the relevant body.

(2) The register of petitions under subsection (1) shall be accessible to the public during working hours.

PART VI—PUBLIC PETITION TO COUNTY ASSEMBLY

Right to Petition County Assembly

33. This Part seeks to give effect to Article 37 of the Constitution and section 15 (1) of the County Governments Act, 2012 on the right to petition by any person.

Form of Petition

34. A petition to County Assembly shall be in the form set out in the Schedule and shall meet the conditions stipulated under section 27.

Procedure for Presenting the Petition

35. (1) A petition to the County Assembly shall be—

(a) submitted to the Clerk by the petitioner; or

(b) presented by a member of the County Assembly on behalf of a petitioner, with the consent of Speaker.

(2) Notwithstanding subsection (1) (b), a member of County Assembly shall not be eligible to present a petition on his or her own behalf.

(3) The Clerk shall, within seven days of the date of receipt of the petition, review the petition to ascertain whether the petition meets the requirements of this Act.

(4) Where the Clerk considers that a petition does not comply with section 27, the Clerk may give such directions as are necessary to ensure that the petition is amended to comply with that section.

(5) A petition shall not be rejected merely because it is not addressed to the Clerk.

Consideration of Petition

36. (1) The Clerk shall, if satisfied that the petition meets the requirements of this Act, forward the petition to the Speaker for tabling in the Assembly.
(2) A petition that is tabled in the County Assembly under this Act shall be considered in accordance with the County Assembly Standing Orders.

(3) The Clerk shall, within fifteen days of the decision of the county Assembly, in writing, notify the petitioner of the decision of the County Assembly.

**Publication of Decision on Petition**

37. The Clerk shall, within fourteen days after the decision is communicated to the petitioner or petitioners under section 36 (3) —

(a) give notice of the decision to the public by posting a copy in a conspicuous place at the County Assembly offices;

(b) inform the public that a copy or extract of the decision is available on its website;

(c) publish the decision in the county Gazette, print or electronic media; or

(d) publish the decision in such other manner as may be appropriate for the dissemination of information.

**Register of Petitions**

38. (1) The Clerk shall keep and maintain a register in which shall be recorded all petitions and supporting documents, and the decisions of the County Assembly.

(2) The register of petitions under subsection (1) shall be accessible to the public during working hours.

**PART VII—GENERAL PROVISIONS**

**Regulations**

39. (1) The Executive Member may make regulations for the better carrying into effect of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations may—

(a) prescribe the forms; and

(b) the procedures for conduct of business by the public participation advisory committee.
SCHEDULE (s. 27 and 34)

FORM OF A PUBLIC PETITION

To: County Government of Murang’a/County Assembly of Murang’a

WE/I, the undersigned and humble Petitioner(s) of...............................
(Here insert the names or description of the petitioner or petitioners and address including their status: residents of a particular area, workers, particular part of the community, minority or marginalised group etc.)

DRAW the attention of the County Government/County Assembly to the following:

(Here, briefly state the reasons underlying the petition and request for the intervention of the Government/Assembly by outlining the grievances or problems and summarizing the facts which the petitioners wish the county government/county assembly to consider)

THAT:

(Here confirm that efforts have been made to have the matter addressed by the relevant body, and it failed to give satisfactory response.)

THAT:

(Here confirm that the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.)

THEREFORE your humble petitioners PRAY that the County Government/County Assembly—

(Here, set out the prayer, by stating in summary what action the petitioners wish the Government/Assembly to take or refrain from)

and your PETITIONERS will ever Pray.

Name of petitioner | Full Address | National ID or Passport No. | Signature/Thumb print
-------------------|--------------|---------------------------|------------------
-------------------|--------------|---------------------------|------------------
-------------------|--------------|---------------------------|------------------

Subsequent pages

PETITION concerning..........................................................

(Here, repeat the summary in first page)

*This form may contain such variations as the circumstances of each case may require.
MEMORANDUM OF OBJECTS AND REASONS

Firstly, this Bill aims at providing for a legal mechanism within which county residents or any person with interest in county governance matters to participate in policy or service delivery matters.

Secondly, the Bill seeks to implement the Constitutional provisions relating to public participation as well as the requirements under the County Governments Act, 2012. It provides for co-ordination of public participation in the county assembly.

Part I of the Bill provides for preliminary matters.

Part II of the Bill provides for coordination of public participation in the County Assembly. It provides for the establishment of the Public Participation Office in the County Assembly as well as a relevant Committee on public participation for providing general direction on public participation.

Part III of the Bill provides for coordination of public participation in the county executive. It provides for the establishment of the Public Participation Unit, which is responsible for coordinating public participation, other departments, facilitating capacity building, mobilizing and organizing the public and stakeholders and monitoring and evaluating.

Part IV of the Bill provides for public participation process. It sets out the principles to be followed during public participation process such as provision of meaningful information, mutual consultations, openness and transparency, value for money and inclusiveness among others. It provides for the establishment of the Public Participation Advisory Committee that brings together representatives from faith based organizations, NGOs, youth, persons with disabilities and private sector. The Committee's main function is to advice the county executive committee on appropriate public participation processes, strategies and policy frameworks, providing platform for engagement and monitoring public participation processes.

The Part also provides for facilitation of citizen forums and guidelines for managing public participation such as stakeholder mapping and engagement, stakeholder engagement plan, best practices and standards of public participation, levels of public participation and public participation methods and preparation of annual reports.

Part V of the Bill provides for procedures for public petition to the county executive as required under Article 37 of the Constitution and section 88 (1) of the County Governments Act, 2012.
Part of the Bill provides for procedures for public petition to county assembly as required under Article 37 of the Constitution and section 15 (1) of the County Governments Act, 2012

Part of the Bill provides for the general provisions mainly the power of the Executive Member to make regulations.

Dated the 13th April, 2015.

JESEE MBURU GITAU,
Chairman, Governance Labour and Social Welfare and Justice and Legal Affairs Committee.