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THE LOCAL AUTHORITIES TRANSFER FUND ACT

(No. 8 of 1998)

THE LOCAL AUTHORITIES TRANSFER FUND REGULATIONS

(L.N. 142 of 1999)

ALLOCATION OF LOCAL AUTHORITIES TRANSFER FUNDS

Criteria for Disbursement of Funds:

PURSUANT to regulation 15 of the Local Authorities Transfer Fund Regulations, 1999, the Minister for Finance notifies that for the financial year ending on the 30th June, 2004, funds from the Local Authorities Transfer Fund have been allocated to the Local Authorities in the amounts respectively specified in the first schedule, on the basis of the criteria set out in the second schedule, subject to the following conditions:

1. The amounts allocated to each Local Authority from the service delivery shall be disbursed as follows:
 - (a) The first seventy-five percent on the 30th September, 2003, and
 - (b) The next twenty-five percent, on the 30th January, 2004.on the fulfillment of the following conditions—
 - (i) Each local authority shall before the 16th June, 2003 submit to the Ministry of Local Government —
 - (aa) annual budget estimates for the 2003/2004 financial year, including estimates for the expenditure of Fund allocations, in accordance with section 242 of the Local Government Act, approved by the Council of the Local Authority; and
 - (bb) information sheets for all capital expenditure projects as specified in Forms 1A and 1B.
 - (ii) Each Local Authority shall in its submission under (i) above demonstrate that —
 - (aa) the equivalent of at least fifty percent of the funds disbursed through the Service Delivery Account shall be spent on capital projects (including maintenance of capital);
 - (bb) not more than sixty percent of the total budget of the Local Authority shall be spent on personnel expenditures; and
 - (cc) all statutory charges due and payable by the Local Authority in the 2002/2003 financial year shall be paid within the year.
2. The amount allocated to each local authority out of the performance account shall be disbursed where the Local Authority complies with condition 1(i) above and submits to the Ministry of Local Government—
 - (a) the documents specified in subparagraphs (a) and (b) of paragraph 3 by the 30th September, 2003;
 - (b) the documents specified in subparagraph (c) of that paragraph by the 31st December, 2003; and
 - (c) the documents specified in subparagraphs (d) and (e) of the same paragraph by the 28th February, 2004.
3. The documents referred to in paragraph 2 are—
 - (a) A statement of revenues, expenditure, cash and bank balances for the 2002/2003 financial year in Form 3 of the schedule to the Regulations, ready to be duly certified as a true record by an auditor appointed under regulation 25, of the submission of which shall entitle the local authority to receive 20% of the performance amounts.
 - (b) A statement of debtors and creditors and a debt reduction plan as at 30th September, 2003 in Form 4 of the schedule to the Regulations, together with a brief statement showing—

- (i) the local authority's progress in implementing the previous year's plans for debt repayment;
- (ii) a certification of actual debt repayments made in the 2002/2003 financial year;
- (iii) an updating of that plan for the following two financial years; and
- (iv) signed agreements between the local authority and the creditors accepting the repayment plan.

the submission of which shall entitle the local authority to receive 20% of the performance amount.

(c) An abstract of the accounts of the local authority for the 2001-2002 financial year and for the 2002-2003 financial year, the submission of which shall entitle the local authority to receive 20% of the performance amount.

(d) A revenue enhancement plan for the 2004/2005 financial year, in Form 5 of the Schedule to the Regulations showing the means by which the authority intends to enhance its policies and administration of revenues, the submission of which shall entitle the local authority to receive 20% of the performance amount.

(e) Local Authority Annual Service Delivery Action Plan (LASDAP) for the 2004/2005 financial year and the two subsequent financial years, the submission of which shall entitle the local authority to receive 20% of the performance amount.

FIRST SCHEDULE

Local Authorities Transfer Fund allocations for the year 2003-2004:

Province /District	Local Authority	Local Authority Type	Service Delivery (KSh.)	Performance (KSh.)
NAIROBI PROVINCE				
Nairobi	Nairobi	City Council	385,432,825	256,955,216
COAST PROVINCE				
Kilifi	Kilifi	County	24,042,648	16,028,432
	Kilifi	Town	8,407,616	5,605,078
	Mariakani	Town	5,082,929	3,388,620
Kwale	Kwale	County	31,126,948	20,751,299
	Kwale	Town	2,795,169	1,863,446
Lamu	Lamu	County	6,580,720	4,387,147
Malindi	Malindi	County	9,119,372	6,079,581
	Malindi	Municipality	13,562,011	9,041,341
Mombasa	Mombasa	Municipality	120,214,486	80,142,991
Taita	Taita / Taveta	County	9,588,679	6,392,452
	Taveta	Town	4,890,017	3,260,011
	Voi	Municipality	4,646,116	3,097,411
Tana River	Tana River	County	11,450,860	7,633,907
RIFT VALLEY PROVINCE				
Baringo	Baringo	County	13,060,431	8,706,954
	Kabarnet	Municipality	3,328,913	2,219,275
Bomet	Bomet	County	16,969,029	11,312,686
	Bomet	Municipality	3,463,466	2,308,977
	Sotik	Town	2,124,481	1,416,321
Bureti	Bureti	County	11,101,136	7,400,757
	Litein	Town	5,174,587	3,449,724
Kajiado	Kajiado	Town	2,682,461	1,788,308
	Olkejuado	County	28,861,424	19,240,950
Keiyo	Iten-Tambach	Town	2,922,314	1,948,210
	Keiyo	County	6,420,439	4,280,293
Kericho	Kericho	Municipality	8,879,752	5,919,835
	Kipkelion	Town	2,937,526	1,958,351
	Kipsigis	County	15,754,723	10,503,149
	Londiani	Town	3,195,440	2,130,294
Koibatek	Eldama Ravine	Town	4,008,871	2,672,581
	Koibatek	County	7,264,228	4,842,819
Laikipia	Laikipia	County	11,664,240	7,776,160
	Nanyuki	Municipality	6,954,166	4,636,110
	Nyahururu	Municipality	5,687,498	3,791,666
	Rumuruti	Town	2,951,788	1,967,859
Marakwet	Marakwet	County	7,518,041	5,012,028
Nakuru	Molo	Town	7,888,366	5,258,910
	Naivasha	Municipality	10,608,211	7,072,140
	Nakuru	County	46,905,791	31,270,528
	Nakuru	Municipality	40,782,319	27,188,213
Nandi	Kapsabet	Municipality	6,322,458	4,214,972
	Nandi	County	22,531,879	15,021,253
	Nandi Hills	Town	4,344,274	2,896,182
Narok	Narok	County	16,554,255	11,036,170
	Narok	Town	6,022,369	4,014,912
Samburu	Maralal	Town	4,213,122	2,808,748
	Samburu	County	8,946,612	5,964,408
Trans Mara	Trans Mara	County	9,913,843	6,609,228
Trans Nzoia	Kitale	Municipality	13,320,574	8,880,382
	Nzoia	County	23,941,046	15,960,698
Turkana	Lodwar	Municipality	4,836,846	3,224,564

FIRST SCHEDULE—(Contd.)

Province /District	Local Authority	Local Authority Type	Service Delivery (KSh.)	Performance (KSh.)
Uasin Gishu	Turkana	County	23,944,028	15,962,685
	Burnt Forest	Town	2,758,910	1,839,274
	Eldoret Town	Municipality	32,127,121	21,418,080
	Wareng	County	21,666,155	14,444,104
West Pokot	Chepareria	Town	1,405,711	937,140
	Kapenguria	Municipality	5,254,769	3,503,180
	Pokot	County	12,375,887	8,250,591
EASTERN PROVINCE				
Embu	Embu	County	8,891,167	5,927,444
	Embu	Municipality	7,456,555	4,971,037
	Runyenjes	Municipality	3,820,717	2,547,145
Isiolo	Isiolo	County	9,465,523	6,310,348
Kitui	Kitui	County	18,893,104	12,595,402
	Kitui	Municipality	9,348,649	6,232,433
Machakos	Kangundo	Town	10,925,924	7,283,949
	Machakos	Municipality	11,505,683	7,670,456
	Masaku	County	24,784,208	16,522,806
	Matuu	Town	3,718,304	2,478,869
Makueni	Mavoko	Municipality	6,105,046	4,070,030
	Makueni	County	35,877,703	23,918,468
	Mtito Andei	Town	2,619,575	1,746,383
	Wote	Town	4,288,606	2,859,071
Marsabit	Marsabit	County	8,451,497	5,634,331
Mbeere	Mbeere	County	9,265,397	6,176,931
Meru	Meru	County	23,770,553	15,847,036
	Meru	Municipality	8,556,912	5,704,608
Meru North	Maua	Municipality	4,113,184	2,742,123
	Nyambene	County	27,688,874	18,459,249
Moyale	Moyale	County	5,262,297	3,508,198
Mwingi	Mwingi	County	12,074,435	8,049,623
	Mwingi	Town	5,426,763	3,617,842
Nithi/Meru S.	Chogoria*	Town	2,578,553	1,719,036
	Chuka	Town	3,572,729	2,381,819
	Meru South	County	7,446,086	4,964,058
Tharaka	Tharaka	County	5,652,713	3,768,475
NORTH-EASTERN PROVINCE				
Garissa	Garissa	Municipality	10,744,535	7,163,023
	Mandera	Town	6,796,116	4,530,744
	Garissa	County	15,288,149	10,192,099
Ijara	Ijara	County	3,844,609	2,563,073
Mandera	Mandera	County	13,793,079	9,195,386
Wajir	Wajir	County	20,191,247	13,460,832
CENTRAL PROVINCE				
Kiambu	Karuri	Town	8,243,326	5,495,551
	Kiambu	County	17,369,476	11,579,650
	Kiambu	Municipality	6,123,236	4,082,157
	Kikuyu	Town	9,236,087	6,157,391
Kirinyaga	Limuru	Municipality	4,778,304	3,185,536
	Kerugoya/Kutus	Municipality	4,616,489	3,077,659
	Kirinyaga	County	21,231,958	14,154,639
Maragwa	Sagana	Town	2,358,848	1,572,566
	Kandara	Town	2,368,397	1,578,931
	Makuyu	Town	3,427,984	2,285,323
	Maragwa	County	14,660,101	9,773,401
Murang'a	Maragwa	Town	2,755,973	1,837,316
	Kangema	Town	2,283,444	1,522,296
	Murang'a	County	15,283,130	10,188,753
Nyandarua	Murang'a	Municipality	3,508,981	2,339,320
	Nyandarua	County	24,129,422	16,086,281
Nyeri	O'Kalou	Town	5,159,191	3,439,461
	Karatina	Municipality	2,129,354	1,419,570
	Nyeri	County	27,358,507	18,239,005
	Nyeri	Municipality	11,771,228	7,847,485
Thika	Othaya	Town	2,452,075	1,634,717
	Ruiru	Municipality	16,600,126	11,066,751
	Thika	County	22,777,564	15,185,042
	Thika	Municipality	15,994,914	10,663,276
WESTERN PROVINCE				
Bungoma	Bungoma	County	32,220,966	21,480,644
	Bungoma	Municipality	9,603,774	6,402,516
	Kimilili	Municipality	5,613,448	3,742,298
	Malakisi	Town	3,186,400	2,124,266

FIRST SCHEDULE—(Contd.)

Province /District	Local Authority	Local Authority Type	Service Delivery (KSh.)	Performance (KSh.)
Busia	Sirisia	Town	2,077,206	1,384,804
	Webuye	Municipality	5,791,780	3,861,186
	Busia	County	14,014,409	9,342,940
	Busia	Municipality	7,080,195	4,720,130
	Funyula	Town	1,913,494	1,275,662
	Nambale	Town	2,264,491	1,509,660
Butere-Mumias	Port Victoria	Town	2,552,443	1,701,628
	Butere-Mumias	County	20,325,941	13,550,628
	Mumias	Municipality	9,996,043	6,664,029
Kakamega	Kakamega	County	23,639,578	15,759,719
	Kakamega	Municipality	11,925,151	7,950,101
	Malava	Town	3,319,202	2,212,801
Lugari	Lugari	County	11,733,224	7,822,150
Mount Elgon	Mount Elgon	County	7,957,498	5,304,998
Teso	Malaba	Town	3,427,118	2,284,745
	Teso	County	7,880,359	5,253,572
Vihiga	Luanda	Town	5,266,522	3,511,014
	Vihiga	County	16,549,287	11,032,858
	Vihiga	Municipality	8,044,418	5,362,946
NYANZA PROVINCE				
Bondo	Bondo	County	11,347,567	7,565,044
	Bondo	Town	3,304,486	2,202,991
Gucha	Gucha	County	15,592,507	10,395,004
	Nyamache	Town	3,023,618	2,015,745
	Nyamarambe	Town	2,821,388	1,880,926
	Ogembo	Town	3,411,928	2,274,619
	Tabaka	Town	2,809,505	1,873,004
	Homa Bay	County	12,063,162	8,042,108
Homa Bay	Homa Bay	Municipality	7,771,747	5,181,164
	Kisii	County	15,185,198	10,123,465
Kisii	Keroka	Town	3,503,533	2,335,688
	Kisii	Municipality	7,081,020	4,720,680
	Masimba	Town	3,013,174	2,008,783
	Suneka	Town	3,524,465	2,349,643
	Kisumu	County	9,365,773	6,243,848
	Kisumu	Municipality	42,253,660	28,169,107
Kuria	Kehancha	Municipality	9,612,152	6,408,101
	Awendo	Town	7,116,026	4,744,017
Migori	Migori	County	16,081,025	10,720,684
	Migori	Municipality	7,280,126	4,853,417
	Rongo	Town	4,753,999	3,169,333
Nyamira	Nyamira	County	19,585,570	13,057,046
	Nyamira	Town	5,308,421	3,538,948
	Nyansiongo	Town	3,055,201	2,036,801
Nyando	Ahero	Town	4,841,258	3,227,505
	Muhoroni	Town	4,174,334	2,782,890
	Nyando	County	11,982,946	7,988,631
Rachuonyo	Kendu Bay	Town	2,346,391	1,564,261
	Oyugis	Town	4,569,826	3,046,551
	Rachuonyo	County	11,491,153	7,660,769
Siaya	Siaya	County	16,593,477	11,062,318
	Siaya	Municipality	4,662,440	3,108,294
	Ugunja	Town	2,784,958	1,856,638
	Ukwala	Town	3,332,507	2,221,671
	Yala	Town	2,435,378	1,623,586
Suba	Mbita Point	Town	3,058,629	2,039,086
	Suba	County	7,112,002	4,741,334
TOTAL			2,250,000,000	1,500,000,000

SECOND SCHEDULE

Criteria for Allocation of Funds:

- Allocation of the funds to the Local Authorities was done in the following manner—
 - a basic minimum lump-sum of shillings one million five hundred thousand;
 - sixty percent of the total amount reflected in the First Schedule on the basis of the population of the local authority; and
 - the remaining share (33 percent) on the basis of the urban population of the local authority.
- The size of the population considered for the purposes of the allocation under 1 (b) above was that reflected in the 1999 Population Census as issued by the Central Bureau of Statistics.

- .3. The size of the urban population considered for purposes of the allocation under 1 (c) above was that reflected in the 1999 Population Census as issued by the Central Bureau of Statistics.

Dated the 31st March, 2003.

DAVID MWIRARIA,
Minister for Finance.