

SPECIAL ISSUE

Kenya Gazette Supplement No. 154 (Acts No. 18)



REPUBLIC OF KENYA

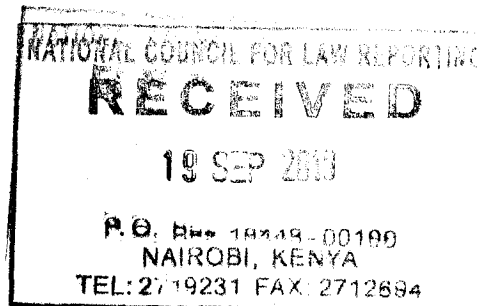
KENYA GAZETTE SUPPLEMENT

ACTS, 2019

NAIROBI, 17th September, 2019

CONTENT

Act—	PAGE
The Division of Revenue Act, 2019	747



THE DIVISION OF REVENUE ACT

2019

No. 18 of 2019

Date of Assent: 17th September, 2019

Date of Commencement: See Section 1

ARRANGEMENT OF SECTIONS

Section

- 1—Short title.
- 2—Interpretation.
- 3—Object and purpose of the Act.
- 4—Allocation to national and county governments.
- 5—Variation in revenue.

**SCHEDULE—ALLOCATION OF REVENUE
RAISED NATIONALLY TO THE
NATIONAL AND COUNTY
GOVERNMENTS FOR THE
FINANCIAL YEAR 2019/20**

THE DIVISION OF REVENUE ACT, 2019

AN ACT of Parliament to provide for the equitable division of revenue raised nationally between the national and county governments in 2019/20 financial year, and for connected purposes

ENACTED by Parliament of Kenya, as follows—

- | | |
|---|---|
| <p>1. This Act may be cited as the Division of Revenue Act, 2019 and shall be deemed to have come into force on the 1st July, 2019.</p> | <p>Short title and commencement.</p> |
| <p>2. In this Act, unless the context otherwise requires—</p> <p>“revenue” has the meaning assigned to it under section 2 of the Commission on Revenue Allocation Act, 2011.</p> | <p>Interpretation.</p> <p>No. 16 of 2011.</p> |
| <p>3. The object and purpose of this Act is to provide for the equitable division of revenue raised nationally between the national and county levels of government for the financial year 2019/20 in accordance with Article 203(2) of the Constitution.</p> | <p>Object and purpose of the Act.</p> |
| <p>4. Revenue raised by the national government in respect of the financial year 2019/20 shall be divided among the national and county governments as set out in the Schedule to this Act.</p> | <p>Allocation to national and county governments.</p> |
| <p>5. (1) If the actual revenue raised nationally in the financial year falls short of the expected revenue set out in the Schedule, the shortfall shall be borne by the national government.</p> <p>(2) If the actual revenue raised nationally in the financial year exceeds the projected revenues set out in the Schedule, the excess revenue shall accrue to the national government, and may be used to reduce borrowing or pay debts.</p> | <p>Variation in revenue.</p> |

SCHEDULE (s.4)**ALLOCATION OF REVENUE RAISED NATIONALLY AMONG
THE NATIONAL AND COUNTY GOVERNMENTS FOR THE
FINANCIAL YEAR 2019/20**

Type/Level of Allocation	Amount in KSh.	Percentage (%) of 2014/15 audited and approved Revenue i.e. KSh.1,038,035 Millions
A. National Government	1,554,916,497,191	
<i>Of which:</i>		
1. <i>Leasing of Medical Equipment</i>	6,200,000,000	
2. <i>Compensation for user fees forgone</i>	900,000,000	
3. <i>Level 5 hospitals</i>	4,326,000,000	
4. <i>Supplement for construction of county headquarters</i>	485,152,184	
5. <i>Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
B. Equalization Fund	5,760,000,000	0.60%
C. County equitable share	316,500,000,000	30.49%
D. Total shareable revenue	1,877,176,497,191	
Memo items		
1. County equitable share	316,500,000,000	
2. Additional conditional allocations (National Government share of Revenue) of which;	13,911,152,184	
2.1. <i>Leasing of Medical Equipment</i>	6,200,000,000	
2.2. <i>Compensation for User Fees forgone</i>	900,000,000	
2.3. <i>Level 5 Hospitals</i>	4,326,000,000	
2.4. <i>Supplement for Construction of County Headquarters</i>	485,152,184	
2.5. <i>Rehabilitation of Youth Polytechnics</i>	2,000,000,000	
3. Allocation from Fuel Levy Fund (15%)	8,984,062,500	
4. Conditional allocations (Loans & grants) of which:	39,089,877,210	
4.1. <i>IDA-Kenya Devolution Support Program (KDSP) Level 1</i>	1,410,000,000	
4.2. <i>IDA-Kenya Devolution Support Program (KDSP) (Level 2 Grant)</i>	4,890,000,000	
4.3. <i>IDA-Transforming Health Systems for Universal Care Project</i>	2,994,247,736	

Type/Level of Allocation	Amount in KSh.	Percentage (%) of 2014/15 audited and approved Revenue i.e. KSh.1,038,035 Millions
4.4 DANIDA-Universal Healthcare for Devolved System Program	986,583,544	
4.5 IDA-National Agriculture and Rural Inclusive Growth Project (NARIGP)	7,232,719,940	
4.6 EU-Instruments for Devolution Advice and Support (IDEAS)	492,698,583	
4.7 IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	3,643,298,670	
4.8 World Bank- Kenya Urban Support Program(KUSP)- UDG	11,464,702,500	
4.9 World Bank- Kenya Urban Support Program (KUSP)- UIG	396,000,000	
4.10 IDA- Water and Sanitation Development Project (WSDP)	3,500,000,000	
4.11 Sweden Agriculture Sector Development Programme II (ASDP II)	849,626,237	
4.12 EU- Water Tower Protection and Climate Change Mitigation and Adaptation Programme (WaTER)	880,000,000	
4.13 Drought Resilience Programme in Northern Kenya	350,000,000	
Total County Allocations= (1+2+3+4)	378,485,091,894	36.46%

**The National Government share includes KSh. 4,300 million which is a special grant to the National Health Insurance Fund (NHIF) for free Maternal health care, to be disbursed as a reimbursement to county governments.*