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No. 6 of 2025

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**THE MAKUENI COUNTY PUBLIC PARTICIPATION AND CIVIC
EDUCATION ACT, 2025**

AN ACT of the County Assembly of Makueni to give effect to paragraph 14 of Part 2 of Fourth Schedule of the Constitution; to provide for a legal framework for the effective coordination, facilitation and management of public participation and civic education in the County Government processes; and for connected purposes

ENACTED by County Assembly of Makueni, as follows—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Makueni County Public Participation and Civic Education Act, 2025.

Interpretation

2. In this Act unless the context otherwise requires—

“Area” means the smallest administrative unit as established by the national government, also referred to as ‘*nyumba kumi*’;

“Chief Officer” means the Chief Officer in charge of Public Participation and Civic Education;

“Civic and development education” means provision of information and learning experience to equip and empower citizens to participate effectively in democratic processes, development and in actualizing self-governance;

“Unit” means the Unit in charge of civic education established under the directorate.

“Cluster” means combination of 5-10 Areas established by the national government;

“Community resource volunteer” means community volunteer engaged to enhance public participation, data collection and civic engagement among communities;

“Constitution” means the Constitution of Kenya, 2010;

“County” means Makueni County;

“County government” means the government of Makueni county;

“County Assembly” means the County Assembly of Makueni;

“County public officer” means any person appointed by the county government and holding or acting in a county public office whether paid

or unpaid or on contractual or permanent terms but does not include a person engaged on a part time basis in a county public body paid at an hourly or daily rate;

“County secretary” means the county secretary appointed under section 44 of the County Governments Act, 2012;

“Clerk” means the clerk to the County Assembly;

"County Department" means any office or department established in the County Government by the County Public Service Board or under any written law; “County Executive committee member” means the County Executive Committee Member for the time being responsible for public participation and civic education;

“Development forum” means development forums convened under Clause 10(1) and (2) of this Act.

“Development committee member” means the elected and nominated representative of the people of Makueni into the respective participatory development units;

“Directorate” means the directorate in charge of public participation and civic education established under section 5 of this Act;

“Governor” means the governor of Makueni County;

“Public participation” is involvement and consultation of the public in the decision making processes of the relevant government organs and public offices;

“Participatory development” means the community driven development processes upon which people are facilitated to identify their needs, prioritization, budgeting, management and sustaining the projects after handing over from government, non-state actors or related agencies;

“Participatory planning” means the process of public participation in identifying community needs and priorities, analyzing and drawing strategies for programming and policy development;

“Participatory budgeting” means the process of public participation in which communities decide how to allocate public funds to meet their needs and development priorities;

“Participatory monitoring and evaluation” means process of public participation through which communities monitor projects, programs and policy implementation;

“Participatory project management and sustainability” means the process of public participation at point of project implementation, facilitated through project management committees and project beneficiary communities;

“Public office” has the meaning assigned to it under Article 260 of the constitution;

“Public” when used in relation to 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 or labor organization with an interest in the governance of the county; and
- (d) non-resident persons who because of their temporary presence in the county make use of services or facilities provided by the county;

"Non-governmental organization" has the meaning assigned to it under section 2 of the Non-Governmental Organizations Coordination Act.

“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;

“Village” means the decentralized unit of the County Government delimited in accordance with Section 48 of the County Government Act, 2012

“Village Council” means the council established under Section 53(1) of the County Governments Act, 2012;

Objects of the Act

3. The Object of this Act is to provide a framework for—

- (a) the involvement of the public in the process of decision making by the county government;
- (b) giving effect to the principles of public participation and civic education as set out in the laws of Kenya;
- (c) effective engagement in research, capacity building, knowledge management and development; and
- (d) promoting community led development in the exercise of their sovereign power.

Guiding Principles

4. In carrying out public participation and civic education the county government shall adhere to the following principles—

- (a) the national values and principles of governance, public service and public finance as set out in the constitution or as may be prescribed in any written law;
- (b) fidelity to the principles of leadership and integrity set out in chapter six of the Constitution;
- (c) the need to provide timely access to relevant information to the public;
- (d) promotion of partnerships between county government and non-state organs in decision making processes;
- (e) the participation of youth, children, women, older members of the society, persons with disabilities, minorities and marginalized groups in decision making processes;
- (f) participatory democracy, sustainability, transparency, openness and accountability; and
- (g) provision of effective mechanisms for the involvement of the public in decision making and development of appropriate feedback mechanisms.

PART II — INSTITUTIONAL FRAMEWORK FOR PUBLIC PARTICIPATION AND CIVIC EDUCATION

The Directorate of Public Participation and Civic Education

5. (1) There is established a directorate which shall be in charge of public participation and civic education.

(2) The directorate shall be headed by a director who shall be responsible for the overall coordination, facilitation and management of public participation and civic education in the county in consultation with the Chief Officer and the County Executive Committee Member.

Functions of the Directorate

6. The functions of the directorate shall be to —
- (a) coordinate, facilitate and manage public participation and civic education programmes and initiatives;
 - (b) provide technical support to county departments and agencies on public participation processes;
 - (c) establish structures and processes for public participation in accordance with the law;
 - (d) maintain an up to date database or inventory of its activities;
 - (e) capacity build and support communities towards poverty eradication and sustainable development;

- (f) pro-poor policy development;
- (g) facilitate community feedback and grievance redress mechanisms;
- (h) incorporate non-state actors in all public participation and civic education programs;
- (i) prepare and submit the annual public participation plans and reports on the citizen participation in the affairs of the county government;
- (j) undertake research on matters relating to public participation, civic education and devolution in general;
- (k) operationalize the centre for Research, documentation and Knowledge Management;
- (l) mobilize resources for enhancing public participation and civic education programs;
- (m) monitor and evaluate progress and impact of public participation and civic education programs and initiatives;
- (n) collaborate with relevant county departments, agencies and other stakeholders involved in civic education activities to ensure a coherent and integrated approach to civic education in the county;
- (o) develop a comprehensive civic education plan for the county, in collaboration with relevant stakeholders, outlining the goals, objectives, strategies, and activities for promoting civic education and civic engagement among the citizens in the county;
- (p) operationalize the school for Devolution and Community Led Development
- (q) undertake capacity building programmes to enhance the knowledge, skills and abilities of civic education facilitators, trainers and other stakeholders involved in civic education programmes in the county and
- (r) engage in public outreach and engagement efforts to raise awareness about civic education programmes, encourage civic participation, and promote civic values and principles among the citizens in the county.

Staff of the Directorate

7. The County Public Service Board shall recruit such officers as may be necessary for the administration of this Act.

County Participatory Development Technical working Group

8. (1) There is established a county participatory development technical working group which shall be appointed by the County Executive Committee Member.

(2) The Committee shall comprise of —

- (a) the Chief officer responsible for participation and civic education who shall be the Chairperson;
- (b) the Chief officer responsible for planning and budgeting who shall be the Vice-chair;
- (c) the County Director in charge of public participation and civic education who shall be the secretary;
- (d) the County Director in -charge of county administration;
- (e) the County Director in-charge of planning;
- (f) the County Director in- charge of budgeting;
- (g) the County Director in-charge of monitoring and evaluation;
- (h) the County Director in- charge of public communication;
- (i) the County Director in- charge of Gender Mainstreaming;
- (j) the County Director in -charge of Infrastructure Development;
- (k) the County Director in- charge of Public Communication;
- (l) County GRM Officer;
- (m) County Social Safeguards Officer;
- (n) County Environmental Safeguards Officer;
- (o) County Climate Mainstreaming Officer;
- (p) County Disaster Management Officer;
- (q) County Disability Mainstreaming Officer.

(3) The committee may coopt any officers as deems appropriate to carry out specific duties.

(4) The committee shall advise the Executive Committee Member and any other relevant county agency on—

- (a) appropriate participatory development policy and strategy frameworks;
- (b) the resolution of grievances arising from participatory development processes;

- (c) mainstreaming best practices in participatory project management cycle;
- (d) achievement of the vision, mission and objectives of government of the people and strengthening local development organizations, civil society and engagement of the public;
- (e) livelihood guarantee programming in the County;
- (f) curriculum development and the enhancement of the county school of community led development;
- (g) audit, capacity development and oversee the management of government led CBO accounts operations;
- (h) participatory development activities and processes including participatory planning and budgeting; and
- (i) linking participatory processes to project management, implementation and sustainability through a mechanism of single project management unit.

(5) The members of the committee shall be paid such allowances as maybe determined by the County Public Service Board as per Salaries and Remuneration Commission.

(6) The terms of reference and conduct of business of the technical working group shall be determined by county executive committee member.

Grievance Handling

9. The county government shall put in place a county grievances redress mechanisms for addressing complaints related to service delivery.

PART III—PUBLIC PARTICIPATION FORUMS AND STRUCTURES

Development forums

10. (1) The county government shall establish development forums as follows—

- (a) Area development forum;
- (b) Cluster development forum;
- (c) Subward development forum;
- (d) Ward development forum;
- (e) Sub county development forum;
- (f) County development forum.

(2) The County Government shall establish thematic development forums as follows—

- (a) Urban areas development forum;
- (b) County annual prayer breakfast;
- (c) Annual county development symposium;
- (d) County non-state actors' engagement forum;
- (e) Interfaith forum;
- (f) Diaspora forum;
- (g) Regional blocs forum;
- (h) Child participation forum;
- (i) Youth forum;
- (j) Women forum;
- (k) Persons with disability forum; and
- (l) e-participation forum;
- (m) Sectoral development forum.

(3) In establishing the development forums, the county government shall take into account the special needs of—

- (a) people who cannot read or write; and
- (b) marginalized and other disadvantaged groups.

(4) The forums shall be facilitated by the respective development committee and shall be open to all forum members.

Development committee structures

11. (1) There is established development committee structures as follows—

- (a) Cluster development committees for a group of Area units;
- (b) Subward development committees for every subward
- (c) Ward development committees for every ward;
- (d) County Development Committee.

(2) All state and non-state actors involved in community development in the county shall utilize the development committees from the inception to the handover of their programs.

(3) The public participation structures shall comprise of representation from the following stakeholders—

- (a) Youth;

- (b) Persons with disabilities;
- (c) Women and men;
- (d) Religious based organizations;
- (e) Non-state actors;
- (f) Professional groups; and
- (g) Older members of the society.

(4) The Authorized Officer may designate public officers to offer technical support to the established structures.

(5) Membership to any of the established public participation structures under this Act will be entirely voluntary.

(6) The development committee shall serve for a period of three (3) years. The term of service shall not exceed six (6) years.

Cluster Development Committees

12. The cluster development committees established under 11(1)(a) shall—

- (a) represent the areas within their cluster in governance and decision making processes to enhance self-reliance and self-governance;
- (b) identify and assess community needs;
- (c) mobilize the communities for effective participation in county government programs and initiatives;
- (d) collect data on community development initiatives; and
- (e) strengthen cluster organizations, self-help groups and other actors.

Subward Development Committees

13. The subward development committees established under 11(1)(b) shall—

- (a) represent the clusters within the subward in governance and decision-making processes;
- (b) prioritize interventions, projects and programs;
- (c) mobilize resources for subward development;
- (d) plan, implement and manage subward driven development programs and initiatives for socio-economic transformation; and
- (e) participate in vetting of county program beneficiaries.

Ward Development Committees

14. The ward development committees established under 11 (1) (c) shall—

- (a) represent the subwards within the ward in governance and decision-making processes;
- (b) validate ward budgets, plans and investments;
- (c) manage community assets handed over by state and non-state actors; and
- (d) mobilize resources for Ward development; and
- (e) provide oversight over project management committees and sustainability committees at the clusters levels;

County Development Committee

15. (1) The county development committee established under 11 (1)(d) shall—

- (a) represent the people of Makueni County in governance and decision-making processes at county level;
- (b) prioritize of county flagship interventions, projects and programs
- (c) participate in validation of county budgets, plans and investments;
- (d) collaborate and partner with state and non-state actors for resource mobilization;
- (e) enhance community led partnerships, collaborations and resource mobilization;
- (f) ensure equitable distribution of county resources; and
- (g) monitor implementation of county plans, policies and legislations.

(2) The committee shall have representation of sub counties, urban areas, municipalities and diaspora.

**PART IV—ACCESS TO INFORMATION, MODALITIES AND
METHODOLOGIES FOR PUBLIC PARTICIPATION**

Access to public participation information

16. The forums in 10 (1) and (2) shall be fully publicized to enable participation by a wide section of the county population, including marginalized groups and communities.

(2) The timelines and number of forums shall be defined through a particular annual public participation plan.

(3) The County Government shall facilitate meaningful participation of the citizens in the forums including—

- (a) ensuring accessibility to the venues of the forums;
- (b) timely access of information and materials to be deliberated upon; and
- (c) use of language that is understandable by the citizens including persons with disability.

(4) All public participation documents shall be accessed by the public.

Areas of Public Participation

17. (1) The areas of public participation shall include—

- (a) participatory planning;
- (b) participatory budgeting;
- (c) participatory project management, monitoring and sustainability;
- (d) performance management and social accountability;
- (e) community driven development and pro-poor spending;
- (f) vetting of County Government nominees to public offices;
- (g) vetting of program beneficiaries;
- (h) policy and legislative proposals; and
- (i) open governance initiatives.

(2) The County Executive Committee member shall ensure public participation meetings and forums are devolved to lowest levels of decentralized units to encourage participation of majority of citizens, vulnerable and marginalized groups.

Modalities and platforms of Public Participation

18. The County Government shall facilitate public participation modalities and platforms including—

- (a) information Communication Technology platforms;
- (b) town hall meetings;
- (c) budget preparation and validation forums;
- (d) notice boards;
- (e) development project sites;

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- (f) avenues for the participation of the people's representatives including but not limited to members of the county assembly; and
- (g) establishment of public forums at county and decentralized units;
- (h) and any other appropriate modalities and platforms.

Public participation methodologies and tools

19. The County Government shall utilize participatory research tools to ensure rationalized decision-making processes including—

- (a) participatory rural appraisal tools;
- (b) participatory rural learning methodologies;
- (c) participatory poverty assessments;
- (d) qualitative and quantitative participatory research tools;
- (e) community action planning mechanisms;
- (f) the use of visual research tools;
- (g) the use of County Statistical abstracts; and
- (h) and any other appropriate tools.

PART V — CIVIC EDUCATION**Civic Education**

- 20.** (1) The county government shall promote civic education by—
- (a) facilitate civic education on county programs and initiatives;
 - (b) improve understanding and appreciation of the county system of government;
 - (c) institutionalize a culture of constitutionalism and rule of law;
 - (d) enhance ownership and knowledge on the economic, social and political issues facing the county;
 - (e) implement appropriate civic education programmes in collaboration with the county civil society organizations;
 - (f) collaborating to determine the contents of the curriculum for civic education taking into account the provisions of Article 33 of the Constitution;
 - (g) mainstreaming civic education programmes in the government's activities and programmes;
 - (h) creating and developing sustainable and innovative approaches towards civic education programmes; and

- (i) ensuring that a percentage of the budget of the county government and other entities is set aside for civic education programmes;
 - (j) promoting linkages between research institutions, academia and members of the public for continuous civic education
- (2) The county executive committee member shall for purposes of subsection 20(1) —
- (a) enter partnerships with local, national and international educational institutions in order to promote the growth of civic education;
 - (b) establish programmes for the certification and admission of non-governmental organizations and other non-state actors into the county civic education programmes;
 - (c) establish online and other platforms for access to information;
 - (d) establish and develop online civic education programmes, access to fiscal and non-fiscal support;
 - (e) keep and maintain a data base of non-governmental organizations and other non-state actors providing civic education; and
 - (f) put in place facilitative structures that ensure the access to civic education at the county levels.
- (3) The civic education programmes and activities shall be fully publicized to enable participation by a wide section of the population, including marginalized groups and communities.

Civic Education Methods and Modalities

21. (1) The county government shall ensure effective civic education through the use of mediums of communication that include—

- (a) the use of participatory training methods; and
- (b) use of qualified trainers.

(2) The county government shall ensure development of civic education frameworks, curriculums, manuals and related educational materials.

(3) The county government shall facilitate civic education using the following modalities—

- (a) Civic education forums and campaigns;

- (b) Public barazas and forums;
- (c) Religious gatherings;
- (d) Theatre;
- (e) Day-to-day civic education forums;
- (f) Print and electronic media;
- (g) Information, Education and Communication materials; and
- (h) any other modality deemed appropriate

Civic education providers

22. (1) The unit shall be responsible for the registration of Non-Governmental Organizations and other non-state actors providing civic education in the county as civic education providers under this Act.

(2) An entity that is eligible for registration as a civic education provider shall submit an application for registration in the prescribed form.

(3) An application for registration under subsection (1) shall include the following particulars —

- (a) a statement setting out the following particulars —
 - (i) the name of the entity;
 - (ii) the proposed registered office of the entity;
 - (iii) the entity's place of incorporation or registration;
 - (iv) the entity's registration number;
 - (v) the registered office of the entity to which all communications may be addressed; and
 - (vi) a detailed description of the civic education programme offered.

(4) The unit may require the applicant to submit such further particulars as the unit may from time to time determine.

(5) The unit shall put in place mechanisms to ensure that the admission process of an entity under this section is simple, efficient, accurate and transparent and may for this purpose —

- (a) establish an online platform for the submission of the documents and information specified under subsection (1); and

(b) devolve and decentralize the registration process to the lowest devolved unit and any establish such registration desks as may be necessary to enable access to registration.

(6) (i) The unit shall within sixty days upon receipt of an application—

(a) consider the application together with the required documents;

(b) Conduct due diligence on the applicant; and

(c) if necessary, call for such further information or carry out such inspections as the unit may consider necessary for the determination of the application

(ii) Where the unit is satisfied that an application meets the requirements for registration under this Act, the unit shall, subject to the provisions of this Act, enter the name and particulars of the applicants in the register of county civic education providers kept for that purpose.

(7) The unit shall upon entering the name of an applicant in the register, issue to the applicant a certificate of registration.

(8) The certificate of registration issued by the unit under sub-section 7 shall be conclusive evidence that the entity—

(a) has met all the requirements for registration specified under this Act; and

(b) has been duly registered in accordance with this Act unless it is proved that the registration has been cancelled.

(9) (i) The unit may reject an application for the admission of an entity where —

(a) the entity has submitted false or misleading information in its application;

(b) the application does not comply with the provisions of this act;

(c) the entity does not meet the criteria specified under this act for the provision of civic education; or

(d) the object of the entity is likely to be pursued for an unlawful purpose or used for a purpose incompatible with public interest.

(ii) The unit shall notify the applicant, in writing, of the decision to reject an application for admission within fourteen days of such rejection.

(10) The unit may subject to the provisions of sub-section 9 de-register an entity registered under this Act as a civic education provider where—

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- (a) the unit has reasonable cause to believe that the entity or its intended civic education programme has among its objects the pursuit of a civic education programme outside of the framework prescribed by section 100 of the County Governments Act, an unlawful cause or a purpose prejudicial to public interest;
- (b) the entity fails to comply with any directive issued by the unit to ensure compliance with the provisions of this Act;
- (c) the members of the entity fail to comply with the provisions of their constitution or rules or the provisions of this Act;
- (d) the entity fails to submit any information required under this Act or requested by the unit in order to ensure compliance with this Act; or
- (e) the unit determines that the entity submitted false information or statements at the time of registration of the civic education programme.

(11) The unit shall de-register a civic education programme whose parent entity has ceased operations under this Act.

(12) (i) The unit shall, before de-registering a civic education programme under section 28, issue to the entity a compliance notice in the prescribed form.

(13) A compliance notice specified under subsection (1) shall —

- (a) be in writing;
- (b) notify the entity of the non-compliance and the steps it is required to take in order to ensure compliance; and
- (c) inform the entity of the period within which it is required to comply with the notice.

(3) The unit may upon request by the entity and where there are sufficient grounds shown by the entity, extend the period of compliance for such period as the unit may consider necessary to ensure compliance.

(13) (1) A person who is aggrieved by the decision of the unit under this Part may within thirty days of being notified of the decision, apply to the county executive committee member for a review of the decision of the unit.

PART VI—STAKEHOLDER ENGAGEMENT

Stakeholder Engagement

23. (1) In carrying out public participation and civic education, the county government shall collaborate with state and non-state actors.

(2) The county government shall develop and implement a stakeholder engagement plan which shall provide for among others—

- (a) objectives of stakeholder engagement;
- (b) major issues requiring public and stakeholder engagement and consultations;
- (c) time-frame within which public consultations would be held;
- (d) process to be undertaken in stakeholder and public participation;
- (e) determination of public participation method; and
- (f) method of providing information to the public.

PART VII—PUBLIC PETITIONS

Form of petitions

24. A petition to the County government shall be in the form set out in the Third Schedule and shall—

- (a) be hand written, printed or typed;
- (b) be in English or Kiswahili and be written in temperate language;
- (c) be free of alterations and interlineations in its text;
- (d) be addressed to the county secretary or the clerk of the county assembly;
- (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 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) contain the names, addresses, identification numbers, signature or a thumb impression of the petitioner or of every petitioner, where there more than one petitioner; and
- (j) contain signatures or thumb impressions of all petitioners, as the case may be, and addresses and identification numbers written directly onto the petition and not pasted thereon otherwise transferred to it.

Procedure for presenting petition to the county executive Committee

25. (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 petitions, review to ascertain whether it meets the requirements of this Act.

(3) Where the county secretary considers that a petition does not comply with section 23 and such directions as are necessary to ensure that the petition is amended to comply with the said section may be given.

Procedure for presenting petition to the County Assembly

26. A petition to the County Assembly shall be submitted to the Clerk by the petitioner.

Consideration of petition by the county executive committee

27. (1) The executive committee member shall, if satisfied that the petition meets the requirements of this Act, forward the petition to the county grievance redress office or relevant department or agency for consideration.

(2) The Executive Committee Member shall, within twenty-one working days in writing, notify the petitioner(s) of the decision reached.

Consideration of petition by the county assembly

28. (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 twenty-one working days, in writing, notify the petitioner(s) of the decision reached by the County Assembly.

Procedure for investigation by the county executive committee

29. (1) Where the county executive committee recommends further investigation in relation to a petition, it 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 holding public office to appear before them to give evidence in relation to the petition; or

- (c) with the support from the County Government, 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.
- (4) A person giving evidence may, within seven days from the date of receipt of the copy under sub-section (2), suggest corrections to their evidence due to inaccurate reporting and the evidence shall be printed with such corrections as may be appropriate.
- (5) The relevant 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 relevant 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 so appointed herein shall as soon as practicable after the conclusion of the investigation, submit its finding and recommendation to the county executive committee for a final decision to be made on the petition.
- (9) The county secretary shall within twenty-one (21) working days in writing, notify the petitioner (s) of the decision.

Procedure for investigation by County Assembly

- 30.** (1) Where the County Assembly through its relevant committee, recommends further investigation in relation to a petition, it 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 holding public office to appear before them to give evidence in relation to the petition; or
 - (c) With the support from the County Government, 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.

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

(5) The relevant 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 relevant 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 so appointed herein shall as soon as practicable after the conclusion of the investigation, submit its finding and recommendation to the County Assembly for a final decision to be made on the petition.

(9) The clerk shall within twenty-one working days in writing, notify the petitioner of the decision.

Publication of decision on petition

31. The executive committee member or clerk 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; or
- (c) publish the decision in such other manner as may be appropriate for the dissemination of information.

Register of petitions

32. (1) The county secretary or the clerk 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 County Assembly on the petitions.

(2) The register of petitions under sub-section (1) shall be accessible to the public during working hours at the offices of the County Government.

Appeal against a decision on a petition

33. Any petitioner who is dissatisfied by the decision of the county government may appeal within 21 days to the Commission on Administrative Justice pursuant to the Commission on Administrative Justice Act, 2011.

PART VIII—FINANCIAL PROVISIONS

Funds of public participation and civic education

34. (1) The funds for public participation and civic shall consist of—
- (a) such monies as maybe appropriated by the county assembly for the purposes of public participation and civic education; and
 - (b) all monies from any other source provided, donated or advanced the County Government for public participation and civic education.

PART IX—GENERAL PROVISIONS

Independently organized Initiatives

35. (1) The County Government may work in cooperation with independent citizen forums.

(2) No provision in the Act precludes the private mobilization of citizens for purposes of public participation or civic education.

Citizens' Duties and Responsibilities

36. Any citizen with interest in county affairs has the right to —
- (a) constructively participate in the forums and platforms created by the County Government for public participation and civic education;
 - (b) share information and make proposals to the County Government; and
 - (c) contribute where appropriate with resources for improving service delivery.

Communication Framework

37. The County Government shall communicate to the public information concerning—

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- (a) the available mechanisms, processes and procedures to encourage and facilitate public participation;
- (b) the matters with regard to which public participation is encouraged;
- (c) the rights and duties of members of the public; and
- (d) county governance, management and development.

(2) Notifications for public participation and civic education forums include—

- (a) Television stations;
- (b) Newspapers;
- (c) County website;
- (d) Information communication technology
- (e) Radio stations;
- (f) Public meetings;
- (g) Traditional media;
- (h) County administration units;
- (i) Public participation structures; and
- (j) Social Media platforms.
- (k) any other appropriate mode of communication.

Knowledge Transfer and Management

38. To ensure transfer of knowledge in participatory development among communities, the County Government shall—

- (a) ensure outgoing development committees are reintegrated in community sector working groups;
- (b) strengthen the framework for youth participation in development;
- (c) publish important information for effective participatory development learning; and
- (d) set up county centres of participatory development learning which shall serve as centres for research, innovation and storing all government information for citizens.

Annual Public Participation Report

39. (1) The directorate shall prepare an annual report on public participation which shall contain among others—

- (a) the number of public participation forums facilitated by the county government;
- (b) the level of implementation of public participation or 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.

(2) The report shall be communicated under the public participation and civic education frameworks under this Act.

Monitoring and Evaluation

40. The county government shall monitor and evaluate public participation and civic education programs for the effective implementation of this Act.

Regulations

41. The County Executive Committee Member may make regulations to guide the implementation of the provisions of this Act.

FIRST SCHEDULE**GENERAL GUIDELINES ON PUBLIC PARTICIPATION AND CIVIC EDUCATION**

1. When conducting public participation and civic education, activities, the County Government shall—

- (a) build a realistic timeframe for the consultation, allowing reasonable period for each stage of the process;
- (b) be clear as to the type of the public, community or profession to be consulted, the issues or matter for consultation in for what specific purpose;
- (c) ensure that the consultation document is as simple and concise as possible, providing the summary of the issues or matter for consultation and clearly setting out the questions to be address;
- (d) publish and distribute the documents as widely as possible, including but not limited to providing hard copies, television advertisement, websites, community radio announcements and traditional media;
- (e) ensure that all responses are carefully and open-mindedly analysed and the results. Made widely available to that public, including an account of the views expressed and the reasons for the decisions taken;
- (f) disclose all information relevant for the public to understand and evaluate the decision;
- (g) ensure that stakeholders have fair and equal access to the public participation process and their opportunity to influence decisions;
- (h) ensure that all commitments made to the public, including those by the decision- maker, are made in good faith;
- (i) undertake and encourage actions that build trust and credibility for the process among all the participants;
- (j) be personally responsible for the validity of all data collected, analyses performed, or plans developed by it or under its direction;
- (k) ensure that there is no misrepresentation of work performed or that was performed under the relevant body's direction;
- (l) examine all of its relationships or actions, which could be legitimately interpreted as a conflict of interest by clients, officials, the public or peers.

- (m) not engage in conduct involving dishonesty, fraud, deceit, misrepresentation or discrimination;
- (n) not accept fees wholly or partially contingent on the client's desired result where that desired result conflicts with its professional judgment.

SECOND SCHEDULE

FORM OF A PUBLIC PETITION

To: The Government of Makueni County/ the County Assembly of Makueni

WE/I, the undersigned and humble Petitioner(s) of

(Here insert the names or description of the petitioner(s) and address including their status: residents of a particular area, workers, particular part of the community, minority or marginalized group etc.)

DRAW the attention of the County Government/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 Government / 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 of Makueni/ County Assembly of Makueni: (Here, set out the prayer, by stating in summary what action the petitioners wish the

County 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.

* An attachment of all signatories of the petition shall be provided.