

FOR IMMEDIATE RELEASE

22nd March 2023

SUBJECT: CONDEMNATION OF THE DELAYED DISBURSEMENT OF EQUITABLE SHARE TO COUNTY GOVERNMENT FOR THE FY 2022/23

Nairobi, Kenya

We the undersigned Civil Society Organizations working to promote good governance, accountability, and transparency in Kenya, strongly condemn the continued delay by the National Treasury in releasing funds to County Governments. This delay has severely affected the provision of essential services such as healthcare, education, and other critical sectors, payment of salaries, defaulting in statutory deductions plus the payment of suppliers thus leading to untold suffering of millions of Kenyans across the country.

We note with great concern that this uncalled-for delay is an affront to the provisions of article 219 of the Constitution of Kenya and section 17(6) of the Public Finance Management Act, 2012, which obligates the National Government to undertake timely disbursement of the equitable share of revenues to devolved units.

In particular sec 17(6) of the PFMA 2012 provides that,

"The National Treasury shall, at the beginning of every quarter, and in any event not later than the fifteenth day from the commencement of the quarter, disburse monies to county governments."

To date, the National Treasury has consistently failed or refused to disburse funds amounting to **KES. 92.5 billion** to County Governments for the months of December 2022, January 2023, and February 2023 against the express provisions of the Constitution of Kenya and the attendant laws. Should this situation continue unmitigated, the Counties will be left with no choice but to dishonor its legitimate obligations thereby putting the lives of the many Kenyans they serve at risk.

We urge Kenyans of good-will to add their voice and attention to this matter in order to have the National Government respond accordingly. Further, we call upon the National Treasury to expedite the disbursement of funds to County Governments to enable them to meet their obligations to the citizens. We also urge the National Treasury to adhere to the Constitution and the PFM Act 2012, on prompt disbursement of funds to the counties.

In conclusion, we reiterate that the National Treasury's continued delay in releasing funds to county governments is unacceptable, and we urge the President and the Senate to urgently intervene and address this matter. We also call upon all Kenyans to stand in solidarity with us in demanding the timely and efficient disbursement of funds to county governments.

Signed By

1. Centre for Fiscal Affairs (CFA)
2. CRAWN Trust
3. East Africa Tax and Governance Network (EATG)
4. National Taxpayers Association (NTA)
5. PAWA 254
6. The Institute of Social Accountability (TISA)

