



REPUBLIC OF KENYA
THE NATIONAL TREASURY AND ECONOMIC PLANNING

PUBLIC NOTICE

**DRAFT INTERGOVERNMENTAL CONDITIONAL ALLOCATIONS
TRANSFER AGREEMENT**

Article 201 of the Constitution provides for Principles of Public Finance and among them is that, *“there shall be openness and accountability, including public participation in financial matters”*.

The County Governments Additional Allocations Act, 2022 amended the Public Finance Management Act, 2012 by introducing Section 191A – 191E. Section 191A requires that the National Treasury and the County Governments shall enter into Intergovernmental Agreements for the transfer of the Conditional Additional Allocations. Further, Section 191E provides that requisition of funds from the County Revenue Fund for purposes of a conditional grant shall be supported by the Intergovernmental Agreement approved under Section 191A.

In this regard, and in order to ensure a consultative approach in developing the Intergovernmental Agreements, the National Treasury constituted an Inter-Agency Taskforce comprising members from the National Treasury, Controller of Budget (COB), Council of Governors (CoG), Commission on Revenue Allocation (CRA), State Department of Devolution, the Judiciary, Parliamentary Budget Office (PBO), three representatives of the County Executive Committee Members responsible for finance.

The Interagency has finalized preparing the Draft Intergovernmental Conditional Allocations Transfer Agreement in line with the requirements of the law. The draft Agreement once approved and signed will unlock the additional resources to County Governments. The Draft Agreement and prescribed template for receipt of comments has been posted to the National Treasury website <https://www.treasury.go.ke/>.

In fulfillment of the requirements of conducting public participation under the Constitution, the National Treasury and Economic Planning invites interested members of the public to submit comments, inputs or memoranda that they may have on the Draft Agreement in the format provided on the website. The comments or inputs or memoranda may be forwarded to the **Principal Secretary, National Treasury, P.O. Box 30007-00100, Nairobi**; hand delivered to the Office of the Principal Secretary, National Treasury Building, Nairobi or emailed to intergovernmental@treasury.go.ke, to be received not later than **Wednesday, 24th October, 2023 at 5.00 pm**.