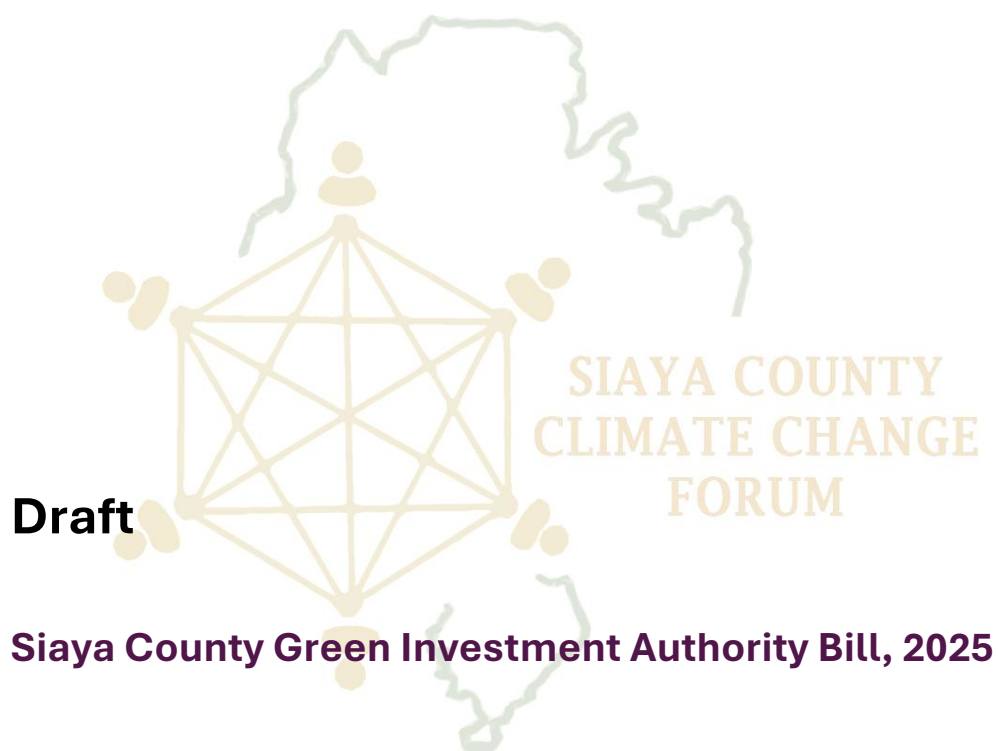




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**SIAYA COUNTY
CLIMATE CHANGE
FORUM**

Siaya County Green Investment Authority Bill, 2025

Proposed By: Siaya County Climate Change Forum

Date: 6th October 2025

TABLE OF CONTENTS

CONTEXT	2
PART I – PRELIMINARY.....	2
1. Short Title and Commencement.....	2
2. Interpretation	2
3. Object and Purpose	3
4. Guiding Principles.....	3
PART II – ESTABLISHMENT, ADMINISTRATION AND FUNCTIONS OF THE AUTHORITY	4
5. Establishment of the Authority.....	4
6. Functions of the Authority.....	4
7. Powers of the Authority	4
8. Board of the Authority	5
9. Conduct of Business and Affairs of the Board	5
10. The Chief Executive Officer	5
11. Staff of the Authority	5
PART III – FINANCIAL PROVISIONS, PLANNING AND PUBLIC PARTICIPATION	5
12. Funds of the Authority	5
13. Financial Year and Annual Estimates	5
14. Accounts and Audit.....	6
15. Investment of Funds	6
16. Role in County Development Planning.....	6
17. Public Participation and Access to Information	6
PART IV – MISCELLANEOUS PROVISIONS.....	6
18. Protection from Liability	6
19. Offences and Penalties	6
20. Regulations.....	6
21. Consequential Amendments	7
22. Transitional Provisions.....	7
MEMORANDUM OF OBJECTS AND REASONS	7

CONTEXT

A BILL FOR

AN ACT of the County Assembly of Siaya to establish the Siaya County Green Investment Authority; to provide for its functions, powers and administration; to integrate locally led climate action and green investment through Village Councils; to align county development with the Sustainable Development Goals and national climate commitments; and for connected purposes.

ENACTED by the County Assembly of Siaya as follows—

PART I – PRELIMINARY

1. Short Title and Commencement

This Act shall be cited as the Siaya County Green Investment Authority Act, 2025 and shall come into operation on such a date as the Governor may, by notice in the County Gazette, appoint.

2. Interpretation

In this Act, unless the context otherwise requires—

“Authority”	means the Siaya County Green Investment Authority established under section 5;
“Board”	means the Board of the Authority constituted under section 8;
“Chief Executive Officer”	means the chief executive officer of the Authority appointed under section 10;
“Commune”	means the smallest territorial delimitation of a village, established under the Siaya County Village Administrative Units Act, for governance purposes
“County”	means the County Government of Siaya;
“County Integrated Development Plan”	has the meaning assigned to it under the County Governments Act, 2012;
“De-Risking, Inclusion & Value Enhancement (DRIVE) Action Plan”	means the annual action plan prepared under section 6(h);
“Green Investment”	means the allocation of capital to projects, programmes, and enterprises that promote climate resilience, low-carbon development, sustainable natural resource management, biodiversity conservation, and a circular economy;
“Locally Led Adaptation”	means a community-centred approach where local communities, including marginalized groups, directly participate in the identification, design, implementation, and monitoring of climate adaptation actions;
“Multi-Hazard Early Warning System”	means the system established under section 6(f);

“National Adaptation Plan”, “Nationally Determined Contributions”, and “National Biodiversity Strategy and Action Plan”	refer to the respective national policy instruments adopted under relevant national legislation;
“Public Participation”	includes the process by which the public is consulted and their views considered in the development of plans and projects by the County Government;
“Spatial Plan”	has the meaning assigned to it under the County Governments Act, 2012;
“Sustainable Development Goals”	means the United Nations Sustainable Development Goals;
“Village Council”	means a council established under the Siaya County Village Administrative Units Act.

3. Object and Purpose

The object and purpose of this Act is to establish a semi-autonomous technical and financial institution to—

- serve as the principal entity for mobilizing, managing, and directing green investment in Siaya County;
- provide technical expertise for the preparation, monitoring, verification, and reporting on the County Integrated Development Plan and Spatial Plans from a climate finance and green economy perspective;
- operationalize a locally led approach to climate action by empowering Village Councils in development processes;
- ensure the County’s development is aligned with the Constitution, the Sustainable Development Goals, and Kenya’s international climate commitments;
- establish robust data systems for evidence-based decision making on climate risk and green growth; and
- fulfil the State’s duty to observe, respect, protect, promote, and fulfil the rights to a clean and healthy environment and to a reasonable standard of sanitation under Articles 42 and 43 of the Constitution.

4. Guiding Principles

In the performance of its functions under this Act, the Authority shall be guided by the principles of—

- Locally Led Action**, prioritizing community ownership and the priorities of Village Councils, women, youth, and persons with disabilities;
- Sustainable Development**, ensuring alignment with the Sustainable Development Goals and the County Integrated Development Plan;
- Accountability and Transparency**, maintaining the highest standards of public financial management;
- Climate Justice**, ensuring equitable distribution of the benefits and burdens of climate action;

- e. **Evidence-Based Decision Making**, utilizing robust geo-enabled data and community-led assessments; and
- f. **Public Participation**, upholding the right of residents to be involved in planning and decision-making.

PART II – ESTABLISHMENT, ADMINISTRATION AND FUNCTIONS OF THE AUTHORITY

5. Establishment of the Authority

There is established an authority to be known as the Siaya County Green Investment Authority.

6. Functions of the Authority

The functions of the Authority shall be to—

- a. mobilize and manage climate finance, green bonds, and private investment for projects aligned with the County Integrated Development Plan;
- b. provide technical assistance to the County Executive for the preparation, monitoring, verification, and reporting on the County Integrated Development Plan and Spatial Plans;
- c. identify, develop, and promote bankable green investment projects, prioritizing those identified by Village Councils;
- d. roll-out an annual Socio-Economic and Resilience Household Census and conduct Participatory Community Rapid Appraisals to inform planning and investment decisions;
- e. compute the annual Geo-Enabled Commune-Based Green Growth Risk Index to guide targeted interventions and resource allocation;
- f. establish and operate a People-centred Multi-Hazard Early Warning System to enhance community preparedness and climate resilience;
- g. cascade and coordinate the integration of the Nationally Determined Contributions, National Biodiversity Strategy & Action Plan, and National Adaptation Plan into county planning, budgeting, and implementation processes;
- h. prepare the annual Siaya County De-Risking, Inclusion & Value Enhancement (DRIVE) Action Plan to identify and mitigate investment barriers while promoting inclusive green value chains;
- i. monitor and report on the contribution of its projects to the Sustainable Development Goals and the County Integrated Development Plan;
- j. build the capacity of Village Councils and county staff on green investment and climate resilience; and
- k. partner with financial institutions, development partners, and the private sector.

7. Powers of the Authority

For the purposes of achieving its objects, the Authority shall have power to—

- a. acquire, hold, charge, and dispose of movable and immovable property;
- b. enter contracts, partnerships, and joint ventures;
- c. sue and be sued in its corporate name;
- d. charge fees for services rendered;
- e. collect, process, and manage data necessary for its functions; and
- f. do all other things necessary for the proper performance of its functions.

8. Board of the Authority

- a. The governing body of the Authority shall be a Board.
- b. The Siaya County Climate Change Council, established under the Siaya County Climate Change Act, shall serve as the Board of the Authority.
- c. The Board shall be augmented by the following ex-officio, non-voting members—
 - i. the Chief Executive Officer of the Authority; and
 - ii. the County Executive Committee member for finance.
- d. The Board shall co-opt one representative from a forum of Village Council Chairpersons to provide grassroots perspective.

9. Conduct of Business and Affairs of the Board

- a. The Board shall regulate its own procedure.
- b. The provisions of the Schedule to the Siaya County Climate Change Act relating to the proceedings of the Climate Change Council shall apply to the Board.

10. The Chief Executive Officer

- a. The Board shall appoint a Chief Executive Officer through a competitive process.
- b. The Chief Executive Officer shall—
 - i. be the secretary to the Board;
 - ii. be responsible for the day-to-day administration of the Authority;
 - iii. be the link between the Authority and the Village Councils; and
 - iv. ensure the preparation and implementation of the annual DRIVE Action Plan and other technical instruments.

11. Staff of the Authority

The Authority may appoint such officers, agents, and staff as are necessary for the proper performance of its functions, including technical experts in climate science, data management, economics, community development, and related upon such terms and conditions of service as the Board may determine.

PART III – FINANCIAL PROVISIONS, PLANNING AND PUBLIC PARTICIPATION

12. Funds of the Authority

The funds of the Authority shall consist of—

- a. initial seed funding, as determined by the Siaya County Climate Change Fund Act;
- b. monies allocated by the County Government;
- c. grants, donations, and endowments;
- d. monies accrued from its investments and services; and
- e. all other monies from any other source provided by law.

13. Financial Year and Annual Estimates

- a. The financial year of the Authority shall be the period of twelve months ending on the thirtieth day of June.
- b. The Board shall submit its annual estimates of expenditure and income to the County Executive Committee for approval.

14. Accounts and Audit

- a. The Authority shall keep proper books and records of account.
- b. The accounts of the Authority shall be audited annually by the Auditor-General.

15. Investment of Funds

The Authority may, with the approval of the County Treasury, invest any of its funds not immediately required in the manner prescribed under the Public Finance Management Act.

16. Role in County Development Planning

- a. The strategic direction and investment portfolio of the Authority shall be derived from the County Integrated Development Plan and Spatial Plans.
- b. The Authority shall provide continuous technical input to ensure these plans are climate-proofed and reflect the findings of the Green Growth Risk Indices and the DRIVE Action Plan.
- c. The Authority shall establish a dedicated unit to monitor and report on the implementation of these plans and the integration of national climate and biodiversity commitments.

17. Public Participation and Access to Information

- a. The Authority shall facilitate public participation in the development of its strategic plans, annual work plans, the DRIVE Action Plan, and major projects.
- b. The Authority shall work through Village Councils to ensure residents are informed and can participate in its processes, including the Participatory Community Rapid Appraisals and the design of the Early Warning System.
- c. The Authority shall provide formal responses to submissions received during public participation and ensure all data and indices produced are publicly accessible in user-friendly formats.

PART IV – MISCELLANEOUS PROVISIONS

18. Protection from Liability

A matter or thing done by a member of the Board, the Chief Executive Officer, or an employee of the Authority shall not render them personally liable if it was done in good faith for executing any function under this Act.

19. Offences and Penalties

A person who contravenes any provision of this Act for which no penalty is specified commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding one year, or to both.

20. Regulations

The County Executive Committee member responsible for climate change may, in consultation with the Board, make regulations for the better carrying out of the provisions of this Act, including regulations prescribing—

- a. the methodology for the Socio-Economic and Resilience Household Census;
- b. the parameters for the Green Risk & Green Growth Indices; and
- c. the operational framework for the Multi-Hazard Early Warning System.

21. Consequential Amendments

The Siaya County Climate Change Act is amended by inserting the following new section immediately after section 8(3)—

“(3A) The Council shall also serve as the Board of the Siaya County Green Investment Authority established under the Siaya County Green Investment Authority Act, 2025.”

22. Transitional Provisions

Upon the commencement of this Act, the County Executive Committee shall take all steps necessary to operationalize the Authority, including the recruitment of the Chief Executive Officer and the provision of initial seed funding as stipulated in the Siaya County Climate Change Fund Act.

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to establish the Siaya County Green Investment Authority as the central technical and financing hub for a locally led green transformation in Siaya County.

The Bill is necessitated by the need to create a dedicated institution that mobilizes climate finance, strengthens county development planning through robust data systems, and empowers grassroots communities. It aligns with the national Bottom-Up Economic Transformation Agenda and fulfils constitutional obligations under Articles 42 and 43.

This Bill is groundbreaking in its integration of data-driven planning and national-international policy alignment. It mandates the Authority to:

- a. Conduct annual socio-economic and resilience data collection to ground decisions in local realities.
- b. Develop geo-enabled risk and growth indices for precise targeting of interventions.
- c. Establish a people-centred early warning system to save lives and livelihoods.
- d. Prepare an annual De-Risking, Inclusion & Value Enhancement (DRIVE) Action Plan to unlock investment.
- e. Systematically integrate Kenya’s Nationally Determined Contributions, National Adaptation Plan, and National Biodiversity Strategy into local governance.

The financial implications of this Bill are clearly provided for, with the initial seed funding for the Authority to be drawn from the Siaya County Climate Change Fund. The establishment of the Authority is expected to have a net positive fiscal impact by attracting significant external climate finance and private investment, while reducing long-term climate vulnerability costs.

Dated this day of, 2025.

Hon. MSM

Member, County Assembly of Siaya