COUNTY GOVERNMENT OF LAIKIPIA

THE LAIKIPIA COUNTY CLIMATE CHANGE ACT, 2025

No…… of 2025

ARRANGEMENT OF SECTIONS

Section

THE LAIKIPIA COUNTY CLIMATE CHANGE ACT, 2025

No…… of 2025

A Bill for

AN ACT of the County Assembly of Laikipia to provide for a regulatory and institutional framework for strengthened climate resilience and response; to establish mechanisms for low-carbon development and carbon market participation; to provide for a County Climate Change Fund and related institutions; and for connected purposes.

ENACTED by the County Assembly of Laikipia, as follows—

PART I — PRELIMINARY

1. Short title and commencement

(1) This Act may be cited as the Laikipia County Climate Change Act, 2025.

(2) This Act shall come into operation on the date of its publication in the County Gazette.

(3) This Act replaces the Laikipia County Climate Change Act, 2021.

2. **Interpretation**

In this Act, unless the context otherwise requires—

"carbon credits" means a credit created when the equivalent of one metric tonne of carbon dioxide is prevented from entering the atmosphere or sequestered, or an equivalent quantity of another greenhouse gas is reduced or avoided;

"carbon market" means a mechanism that enables and allows public and private entities to transfer and transact emission reduction units, mitigation outcomes or offsets generated through carbon initiatives, products, programmes and projects, subject to national and international laws;

"carbon projects" means interventions including programmes, projects, and products designed to remove, reduce, sequester or avoid carbon emissions;

"climate change" means a change in the climate system which is caused by significant changes in the concentration of greenhouse gases as a consequence of human activities and which is in addition to natural variability observed over a considerable period;

"climate change adaptation" means adjustment in natural or human systems in response to actual or anticipated climatic stimuli or their effects, to moderate harm or exploit beneficial opportunities;
"climate change mitigation" means human interventions, policies, and measures undertaken to prevent or reduce the emission of greenhouse gases, or to enhance the capacity of natural and artificial systems to absorb and store greenhouse gases;

"climate finance" means financial resources drawn from public, private and alternative sources dedicated to addressing climate change through mitigation and adaptation;

"climate finance framework" means a County-specific framework for mobilizing, accessing, allocating and tracking climate finance;

"community" has the meaning assigned to it under the Community Land Act, No. 27 of 2016;

"County Assembly" means the County Assembly of Laikipia;

"County Government" means the County Government of Laikipia;

"County Planning Framework" means the system of county planning instruments established under the County Governments Act, 2012, the Public Finance Management Act, 2012 and any other applicable national legislation, and includes the County Integrated Development Plan, Annual Development Plans, Sectoral Plans, Spatial Plans, and Medium-Term Expenditure Frameworks;

"County Treasury" has the meaning assigned under section 103 of the Public Finance Management Act, 2012;

“Directorate” means the Directorate that is for the time being responsible for matters relating to Climate Change within the county;

"Executive Member" means the County Executive Committee Member responsible for matters relating to climate change;

"Fund" means the Laikipia County Climate Change Fund established under this Act;

"Fund participating institutions" means national, regional and international institutions that have made contributions to the Fund or have climate change related activities in the County;

"Greenhouse gases" has the meaning assigned under the Climate Change Act, 2016;

"Public Benefit Organization" has the meaning assigned under the Public Benefit Organizations Act, 2013;

"resilience" means the capacity of individuals, communities, institutions, and ecosystems to anticipate, absorb, adapt to, and recover from the impacts of climate change and related hazards, while maintaining essential functions and the ability to learn, adapt, and transform in the face of future risks;

"Steering Committee" means the Laikipia County Climate Change Steering Committee established under section 7;

"Ward" means a County electoral area as defined under Article 89 of the Constitution; and

"Ward Climate Change Planning Committee" means the committee established under section 11.

3. **Objects and purposes of the Act**

The objects of this Act are to—

(a) strengthen climate resilience and reduce vulnerability to climate impacts through adaptation and mitigation;

(b) mainstream climate considerations into all County policies, plans, and budgets, aligned with national and international commitments;

(c) enable low-carbon development and participation in carbon markets;

(d) establish a County Climate Change Fund to mobilize and manage climate finance;

(e) strengthen institutional capacity for climate governance and coordination with national frameworks;

(f) ensure inclusive participation of women, youth, persons with disabilities, and marginalized communities in climate action;

(g) support community-based adaptation and climate innovation; and

(h) promote climate information systems to guide evidence-based decision-making.

PART II — ESTABLISHMENT AND ADMINISTRATION OF THE FUND

4. **Establishment of the Fund**

(1) There is established a Fund to be known as the Laikipia County Climate Change Fund, which shall be administered and disbursed in accordance with this Act.

(2) The fund administrator for the purposes of the Laikipia County Climate Change Fund shall be the Chief Officer for the time being responsible for matters relating to climate change in the County;

(3) The Fund shall be used to finance climate change adaptation, mitigation, and resilience projects and programmes in line with County and national climate priorities.

(4) The Fund shall be utilized in accordance with the Eligibility Criteria published by the Executive Member, in consultation with the Steering Committee, and in compliance with the Public Finance Management Act 2012.

(5) The Eligibility Criteria shall provide for, inter alia—

(a) relevance of proposed actions to climate change adaptation and mitigation;

(b) inclusion and participation of women, youth, persons with disabilities and other vulnerable groups;

(c) complementarity with existing projects and initiatives;

(d) demonstration of project sustainability beyond initial funding;

(e) alignment to County and national development priorities; and

(f) any other parameter deemed relevant.

(6) The Executive Member shall publish Regulations within six months of the commencement of the Act detailing the Eligibility Criteria, application procedures, and evaluation methodology.

5. **Sources of Funds**

The Fund shall be financed through—

(a) monies appropriated by the County Assembly, being not less than three percent of the annual County development budget;

(b) monies allocated by the National Government;

(c) grants and loans from the National Climate Change Fund;

(d) climate finance from international, regional, or multilateral entities;

(e) monies received from Public Benefit Organizations;

(f) fees and charges from climate finance activities;

(g) revenue generated from carbon trading; and

(h) any other monies payable to the Fund.

6. **Climate Finance Framework**

(1) The Executive Member, in consultation with the Steering Committee, shall publish a County Climate Finance Framework every three years.

(2) The Framework shall be developed through an inclusive stakeholder consultation process.

(3) The Framework shall—

(a) establish mechanisms for mobilizing, accessing, allocating, and tracking climate resources within the County;

(b) promote transparency, accountability, and efficiency in utilization of funds;

(c) strengthen partnerships between the County Government, private sector, development partners, and communities;

(d) identify priority investment areas and establish baselines on climate financing;

(e) leverage carbon markets and innovative financing instruments; and

(f) align with County planning and national climate finance frameworks.

PART III — INSTITUTIONAL ARRANGEMENTS

7. **County Climate Change Steering Committee**

(1) There is established the Laikipia County Climate Change Fund Steering Committee, comprising—

(a) the Governor, or in his absence the Deputy Governor, who shall be the Chairperson;

(b) the County Executive Committee Member responsible for Climate Change, who shall be the Secretary;

(c) the County Executive Committee Members responsible for Finance, Agriculture, Water, and Health;

(d) the County Attorney;

(e) one representative of the Kenya Forest Service;
(f) one representative of the Water Resources Authority;

(g) one representative of Public Benefit Organizations involved in climate change; and

(h) one representative of the business community in Laikipia County.

(2) The Committee may co-opt not more than two experts or representatives of institutions on a need basis for technical advice, without voting rights.

(3) In making appointments under this section, the appointing authority shall ensure gender balance and inclusion of youth and persons with disabilities.

(4) Members under subsection (1)(g) and (h) shall hold office for three years, renewable once.

8. **Functions of the Steering Committee**

The functions of the Steering Committee shall be to—

(a) oversee the implementation of County climate change programmes and projects financed by the Fund;

(b) mobilize resources and coordinate County-level climate finance consistent with the Climate Finance Framework;

(c) ensure compliance of Fund administration with Article 201 of the Constitution, the Public Finance Management Act, and the Public Procurement and Asset Disposal Act;

(d) review and approve County Climate Finance Budgets and disbursement schedules;

(e) facilitate coordination with neighboring counties and national agencies; and

(f) perform any other function assigned under this Act or the Regulations.

9. **Conduct of affairs of the Steering Committee**

(1) The Steering Committee shall meet at least once per quarter during the financial year.

(2) The Chairperson may convene a special meeting at any time and shall do so within one month of receiving a written request signed by at least three members.

(3) In the absence of the Chairperson and Deputy Chairperson, the members present shall elect one member to preside.

(4) The quorum and conduct of meetings shall be as provided in the First Schedule to this Act

10. **County Climate Change Planning Committee**

(1) There is established the Laikipia County Climate Change Planning Committee, comprising—

(a) the Chief Officer responsible for Climate Change, who shall be the Chairperson;

(b) the County Director for Climate Change, who shall be the Secretary;

(c) County Directors for Agriculture, Livestock, Water, and Public Health;

(d) County Directors of NEMA, the Kenya Meteorological Department, and NDMA.

(2) The Committee may co-opt technical experts or representatives of institutions, ensuring gender, youth, and PWD inclusion.

11. **Functions of the County Planning Committee**

The functions of the County Planning Committee shall be to—

(a) develop and apply eligibility criteria for climate projects under this Act;

(b) receive, compile, evaluate, and approve projects submitted by Ward Committees;

(c) prepare and oversee the County Climate Finance Budget;

(d) ensure equitable allocation of Fund resources;

(e) monitor and evaluate implementation of projects financed by the Fund;

(f) coordinate capacity building, awareness creation, and technical assistance;

(g) design a County climate finance research priority list; and

(h) perform any other relevant function assigned by the Executive Member.

12. **Conduct of affairs of the County Planning Committee**

(1) The County Planning Committee shall meet at least once per quarter during the financial year.

(2) The Chairperson may convene a special meeting at any time and shall do so within one month of receiving a written request signed by at least three members.

(3) The quorum, conduct of meetings, and procedures shall be as provided in the First Schedule to this Act.
(4) In the absence of the Chairperson, members present shall elect one to preside.

PART IV — WARD CLIMATE GOVERNANCE STRUCTURES

13. **Ward Climate Change Planning Committees**

(1) There shall be established in each Ward of Laikipia County a Ward Climate Change Planning Committee.

(2) Each Ward Climate Change Planning Committee shall comprise—

(a) six representatives of climate-sensitive livelihoods in the Ward drawn from the following sectors—

(i) water services;

(ii) health;

(iii) crop production;

(iv) livestock production;

(v) environmental conservation and management; and

(vi) disaster risk reduction;

(b) two representatives of minority or marginalized communities;

(c) one representative of persons with disabilities;

(d) the Ward Administrator, who shall be the Secretary to the Committee and an ex-officio member; and

(e) one person elected by members of the Committee to serve as Chairperson, who shall—

(i) be a resident of the Ward;

(ii) have actively engaged in climate change or environmental management activities for not less than five years;

(iii) possess a post-secondary qualification;

(iv) satisfy the requirements of Chapter Six of the Constitution; and

(v) demonstrate community leadership and integrity.

(3) The Committee shall not exceed eleven members.

(4) The membership of the Committee shall ensure equitable representation of women, youth, and persons with disabilities.

(5) Members shall hold office for a term of three years, renewable once.

14. **Functions of the Ward Climate Change Planning Committees**

(1) The Ward Climate Change Planning Committee shall—

(a) identify and prioritize local climate risks and adaptation measures through community consultations;

(b) mobilize community participation and develop project proposals for submission to the County Climate Change Planning Committee;

(c) monitor implementation of projects funded under this Act within the Ward;

(d) prepare and submit quarterly and annual reports on project progress and outcomes;

(e) coordinate with community-based organizations, conservancies, and other local actors in implementing climate interventions; and

(f) perform any other function assigned by the Directorate of Climate Change.

(2) The Committee shall receive technical assistance from relevant County departments, national agencies, and development partners

15. **Conduct of the affairs of the Ward Committees**

(1) The Ward Planning Committee shall—

(a) meet at least once every quarter in every financial year;

(b) hold meetings within the Ward;

(c) keep proper records of proceedings, resolutions, and attendance; and

(d) meet at other times on a need basis within quarterly administrative cost limits.

(2) The quorum for meetings shall be two-thirds of the membership.
(3) Decisions shall be passed by majority vote of members present.

(4) The County Planning Committee shall provide—

(a) capacity-building training to Ward members at least twice annually;

(b) written materials in local languages where feasible;

(c) support for members with literacy challenges through simplified formats and mentorship;

(d) ongoing technical assistance from County staff.

(5) Members shall not receive sitting allowances but may claim—

(a) transport refunds for approved meetings, subject to Regulations;

(b) meals during extended training or planning sessions;

(c) reimbursement through documented receipts or mileage records.

(6) The Regulations shall specify allowance rates and claiming procedures.

PART V — CLIMATE INFORMATION AND ACTION PLANNING

16. **Participatory Climate Risk Assessment (PCRA)**

(1) The County Government shall conduct a Participatory Climate Risk Assessment every five years.

(2) The Participatory Climate Risk Assessment shall identify—

(a) county livelihoods profile

(b) current and projected climate trends in the county

(c) county climate risk and hazard profile

(d) climate vulnerability and capacity assessments

(e) current interventions to address identified climate risks

(f) challenges and recommendations for effective climate response in the county; and

(g) Any other matters incidental thereto
(3) The Participatory Climate Risk Assessment report shall inform the priorities in the County Climate Change Action Plan

(4) A mid-term review of the Participatory Climate Risk Assessment report shall be undertaken every two and a half years.

17. **State of the Climate Laikipia Report**

(1) The County Government shall prepare and publish a State of the Climate Laikipia Report every three years, aligned with the State of the Climate Kenya Report

(2) The report shall include—

(a) an overview of climate trends and analysis of extreme weather events in the county

(b) socio-economic impacts of climate extremes in the county

(c) future trends and climate projections in the county

(d) performance in carbon markets

(e) recommendations for effective climate information services, resilience and low carbon development; and

(f) Any other matters incidental thereto.

18. **Laikipia County Climate Change Action Plan**

(1) The County Government shall publish a County Climate Change Action Plan every five years, aligned with the National Climate Change Action Plan and the County Integrated Development Plan.

(2) The Plan shall include—

(a) county livelihoods profile

(b) current and projected climate trends in the county

(b) county climate risk and hazard profile

(c) strategic investment areas for climate resilience and low carbon development
(d) budget allocations and financing mechanisms;

(e) implementation plan, stakeholder roles and responsibilities

(f) monitoring, evaluation, research and learning framework; and

(g) Any other matters incidental thereto.

(3) A mid-term review of the County Climate Change Action Plan shall be undertaken every two and a half years.

19. **Laikipia County Climate Information Service Plan**

(1) The County Government, in consultation with the Kenya Meteorological Department and other stakeholders, shall develop a Climate Information Service Plan.

(2) The Climate Information Service Plan shall inform the development and delivery of accessible, timely and relevant climate information to support decision making processes on community livelihoods, policies, plans and climate actions in the county.

(3) The Plan shall provide for—

(a) goals and principles of climate information services in the county

(b) climate observation and data collection in the county

(c) provision of climate information services in the county

(d) dissemination of climate information services in the county

(e) budget allocations and financing mechanisms;

(e) implementation plan, stakeholder roles and responsibilities

(f) monitoring, evaluation, reporting and learning; and

(g) any other matters incidental thereto

PART VI — CARBON TRADING

20. **Functions of the County Government in Carbon Trading**

(1) The County Government shall promote the development of carbon projects and facilitate participation in carbon markets in accordance with national legislation, rules and regulations.

(2) The Executive Member shall issue guidelines on—

(a) application, approval and review of the County Government Letter of Support

(c) identification, registration and monitoring of County and community-level carbon projects;

(d) ensuring compliance with national and international carbon standards and methodologies;

(e) safeguarding community rights and establish transparent benefit-sharing arrangements;

(f) maintaining a County Database of all carbon trading initiatives; and

(g) supporting capacity building for project development and verification.

(h) carbon markets incentives and investment facilitation

(3) All revenues from County carbon trading shall be credited to the Fund and managed in accordance with this Act and the Public Finance Management Act 2012.

(4) Carbon trading revenues shall be allocated to—

(a) expand the Fund's adaptation and mitigation support;

(b) community development priorities where projects are located;

(c) capacity building and awareness on carbon markets; and

(d) monitoring and research on carbon markets; and

(e) any other matters incidental thereto

21. Greenhouse gas inventory

(1) The Executive Member shall publish a County Greenhouse Gas inventory in accordance with the Paris Agreement, national legislation, rules and regulations and submitted biennially to the National Climate Change Directorate.

(2) The County Greenhouse Gas inventory shall include—

(a) Greenhouse gas inventory for the preceding years;

(b) emission trends by economic sectors in the county

(c) monitoring, reporting, and verification system

(c) county government effort in meeting the emission reduction targets in the Nationally Determined Contribution

(d) challenges and recommendations for improved reporting on greenhouse gas emissions for the national inventory, reduction of sectoral GHG emissions and coordination with the National Climate Change Directorate; and

(e) any other incidental matters thereto

22. Letter of Support

(1) A carbon project proponent seeking to undertake a project in Laikipia County shall obtain a Letter of Support issued by the County Executive Committee Member.

(2) The Letter of Support shall be issued upon submission and verification of the following documents—

(a) a valid Project Design Document duly developed by the Nationally Designated Authority in accordance with the Climate Change Act (2016) and regulations made thereunder;

(b) a Letter of No Objection or Project Approval from the National Environment Management Authority confirming environmental compliance under the Environmental Management and Coordination Act (1999) and regulations made thereunder;

(c) a Social and Environmental Impact Assessment Report approved by the National Environment Management Authority demonstrating compliance with national and county environmental standards;

(d) a Community Development Agreement duly executed in accordance with the Fourth Schedule of the Climate Change Act (2016) and regulations made thereunder; and

(e) evidence of community consultations, Free and Prior Informed Consent, including minutes, attendance lists, and resolutions from affected communities and local institutions.

(f) a Grievance Redress Mechanism

(g) any other relevant documents imposed by existing law

23. Community Development Agreement

(1) Every carbon project undertaken on public or community land in Laikipia County shall be implemented in accordance with a Community Development Agreement entered into between the project proponent and the affected community.

(2) The County Executive Committee Member shall oversee the development and execution of the Community Development Agreement in accordance with the Climate Change Act (2016) and regulations made thereunder

(3) The objectives of a Community Development Agreement shall be to—

(a) ensure that communities hosting carbon projects derive direct and equitable social, environmental, and economic benefits;

(b) promote transparency and accountability in the sharing of benefits arising from carbon projects;

(c) safeguard the rights of indigenous peoples, pastoralists, and marginalized groups; and

(d) foster local ownership and participation in climate change mitigation and adaptation initiatives.

(4) The County Executive Committee Member shall publish regulations for the better implementation of this section.

PART VII — DISBURSEMENT AND MANAGEMENT OF THE FUND

24. **Allocation of Funds to the Wards**

(1) The County Planning Committee, under direction of the Steering Committee, shall develop and publish information on the annual disbursement of funds available to each Ward.

(2) Disbursement of funds shall be based on criteria approved by the Steering Committee and County Planning Committee, taking into account—

(a) the level of climate vulnerability;

(b) population size and density;

(c) ongoing projects and funding absorption capacity; and

(d) equitable distribution across Wards.

(3) Allocation shall be guided by the Climate Fund Sharing Criteria set out in the Schedule to this Act.

25. **Eligibility Criteria**

(1) The County Planning Committee shall develop and publish detailed eligibility criteria for climate finance projects that will be funded under this Act.

(2) The criteria shall consider alignment with the Participatory Climate Risk Assessment and the County Climate Change Action Plan, contribution to climate resilience, benefit to vulnerable populations, and sustainability.

(3) Detailed criteria shall be specified in Regulations developed by the Executive Member under section 4(5) of this Act.

26. **Community Consultation Forums**

(1) Each Ward Committee shall convene not fewer than ten community consultation forums before the commencement of each financial year.

(2) The forums shall include—

(a) three general community meetings held in different locations in the Ward;

(b) one meeting each for—

(i) Public Benefit Organizations;

(ii) the business community;

(iii) Water Resource User Associations;

(iv) Community Forest Associations;

(v) Community Land Management Committees;

(vi) Disaster Risk Management Committees; and

(vii) Community Conservancies.

(3) The agenda of the forums shall include—

(a) emerging climate risks and vulnerabilities in the Ward;

(b) proposed projects to address identified risks;

(c) review of ongoing activities; and

(d) public awareness and education.

(4) The Secretary of the Ward Committee shall compile a report of the forums and submit it to the County Planning Committee.

27. **Project Development and Validation**

(1) The Ward Committees shall develop project proposals based on priorities identified in the consultation forums and submit them to the County Planning Committee for review.

(2) The County Planning Committee shall, within six weeks of receiving proposals—

(a) approve and communicate acceptance in writing;

(b) reject with written reasons; or

(c) return proposals for revision.

(3) The County Planning Committee may constitute a Project Evaluation Team in each Ward comprising—

(a) relevant County officers;

(b) technical experts from participating institutions; and

(c) consultants engaged by the Directorate of Climate Change.

28. **Disbursement of Funds for Projects**

(1) The Fund Administrator shall publish a list of approved and ranked climate projects together with their procurement plans.

(2) The Fund Administrator shall ensure that funds are released only to approved projects following due process under the Public Finance Management Act, 2012 and the Public Procurement and Asset Disposal Act, 2015.

(3) The Executive Member shall make regulations to guide disbursement and management of the Fund.

29. **Procurement**

All procurements for projects financed by the Fund shall be conducted in accordance with the Public Procurement and Asset Disposal Act, 2015 and the relevant County procurement regulations.

30. **Grievance Redress Mechanism**

(1) Any person, community, or institution aggrieved by a decision or process under this Act may submit a grievance to the Fund Administrator for review.

(2) The Fund Administrator shall refer such grievances to the County Planning Committee for determination within six weeks.

(3) The Committee shall communicate its decision in writing to the complainant and copy it to the Steering Committee.

PART VIII — FINANCIAL PROVISIONS

31. **Bank Account of the Fund**

(1) The County Executive Committee Member for Finance shall issue guidelines on the banking arrangements for the Fund, in accordance with the Public Finance Management Act, 2012.

(2) The bank account shall be managed by the Fund Administrator under supervision of the County Planning Committee and oversight of the Steering Committee.

(3) The account shall be subject to national accounting, reporting, and auditing standards.

32. **Administrative Expenditure**

(1) The administrative costs of the Fund shall not exceed five percent of its annual allocation.

(2) The Fund Administrator shall prepare an annual administrative budget, subject to approval by the County Planning Committee and the Executive Member.

(3) Regulations shall prescribe allowances payable to members of the Steering Committee, Planning Committee, and Ward Committees.

33. **Accounts and Audit**

(1) The Fund Administrator shall maintain proper books of account and prepare quarterly and annual financial reports.

(2) Within one month after the close of each financial year, the Administrator shall submit the annual report to the Steering Committee and County Assembly.

(3) The accounts of the Fund shall be audited annually by the Auditor-General.

(4) Disclosure of all approved projects and budgets shall be published for public access.

PART IX — MISCELLANEOUS PROVISIONS

34. **Laikipia County Climate Change Forum**

(1) There shall be established a County Climate Change Forum convened bi-annually to review progress and share experiences among stakeholders.

(2) The Forum shall include representatives of—

(a) the County Government;

(b) national agencies;

(c) academia and research institutions;

(d) community-based organizations and conservancies;

(e) the private sector; and

(f) development partners.

(3) The Forum shall serve as a platform for knowledge exchange and accountability.

35. Regulations

(1) The Executive Member shall make Regulations to give effect to this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations may provide for—

(a) the management and operation of the Fund;

(b) eligibility and allocation criteria for projects;

(c) allowances and reimbursements for Committee members;

(d) grievance redress mechanisms; and

(e) carbon trading procedures and benefit-sharing frameworks.

36. **Protection from Liability**

No matter or thing done by any person exercising authority under this Act shall, if done in good faith, render that person personally liable to any action, claim, or demand whatsoever.

SCHEDULES:

FIRST SCHEDULE — CONDUCT OF THE AFFAIRS OF THE COUNTY PLANNING COMMITTEE AND STEERING COMMITTEE

1. **Meetings**

(a) The Committee shall meet at least once every quarter and not more than twelve times in a financial year.

(b) A special meeting may be convened by the Chairperson or upon written request by at least two members.

(c) In the absence of the Chairperson, members shall elect one of their number to preside.

(d) The quorum for meetings shall be two-thirds of the membership.

(e) Decisions shall be by majority vote; the presiding member shall have a casting vote in case of a tie.

2. **Committees and Sub-committees**

(a) The Committee may establish subcommittees for specialized tasks.

(b) Each subcommittee shall be chaired by a member of the main Committee.

(c) The main Committee shall ratify decisions of subcommittees.

3. **Declaration of Interest**

(a) A member who has an interest in any matter before the Committee shall declare the interest and abstain from deliberation or voting.

(b) Such declaration shall be recorded in the minutes.

(c) A member who contravenes this provision shall cease to hold office upon direction of the Executive Member.

(d) Interests shall include any financial benefit, family relationship, or business connection to a proposed project or decision.

4. **Common Seal**

(a) The common seal of the Committee shall be kept in custody as the Committee may direct and used only by its order.

(b) Affixing of the seal shall be authenticated by the signatures of the Chairperson, Fund Administrator, and one member nominated by the Committee.

5. **Contracts and Instruments**

Any contract or instrument executed on behalf of the Committee may be signed by persons duly authorized by resolution of the Committee.

6. **Record Keeping**

(a) The Committee shall keep proper minutes of all meetings.

(b) Minutes shall record attendance, decisions, declarations of interest, and implementation of resolutions.

(c) Minutes shall be maintained for audit and public access.

MEMORANDUM OF OBJECTS AND REASONS

1. BACKGROUND AND CONTEXT

Laikipia County is highly vulnerable to climate change impacts, including prolonged droughts, erratic rainfall patterns, rising temperatures, and ecosystem degradation. These impacts threaten the County's primary economic sectors, agriculture, pastoralism, wildlife tourism, and water resources, and compromise livelihoods and food security for significant portions of the population.

The County's semi-arid and arid landscapes, coupled with increasing population pressure and land use changes, amplify climate vulnerability. Without deliberate and coordinated climate action, the County risks deepened poverty, environmental degradation, and social instability.

Kenya's ratification of the Paris Agreement and the Climate Change Act, 2016 establish a national commitment to climate action. The County Government Act, 2012 mandates devolved governance of climate-related functions including adaptation, mitigation, and environmental management. However, Laikipia County currently lacks a comprehensive legal and institutional framework to operationalize climate resilience at the county level.

2. RATIONALE FOR THE BILL

The Laikipia County Climate Change Act, 2025 is necessary to—

(a) Provide a Legal Foundation
The Bill establishes a clear statutory framework for climate governance in Laikipia County, filling a critical gap between national climate legislation and county-level implementation. It provides legal authority for institutional arrangements, fund management, and stakeholder engagement.

(b) Institutionalize Climate Governance
The Bill establishes clear institutional structures, including a Steering Committee for oversight, a Planning Committee for project development and management, and Ward Planning Committees for grassroots engagement, ensuring coordinated and accountable climate action across all governance levels.

(c) Mobilize and Manage Climate Finance
The Bill establishes the Laikipia County Climate Change Fund to pool resources from County appropriations (a minimum of 3% of the development budget), national government allocations,

international climate finance, carbon trading revenues, and private sector contributions. This creates a predictable, sustainable financing mechanism for climate projects.

(d) Promote Equity and Inclusion
The Bill institutionalizes meaningful participation of women, youth, persons with disabilities, and marginalized communities in climate decision-making through structured community consultation forums and reserved representation on all committees.
(e) Enable Carbon Market Participation
The Bill provides the regulatory framework for Laikipia County to participate in domestic and international carbon markets, generating revenue from carbon projects in forestry, rangeland restoration, renewable energy, and sustainable agriculture. These revenues strengthen the Fund and create opportunities for livelihoods.

(f) Mainstream Climate Considerations
The Bill mandates integration of climate considerations into all County policies, plans, and budgets, ensuring that climate resilience becomes a cross-cutting development principle rather than a sectoral afterthought.

3. KEY PROVISIONS OF THE BILL

Part I: Preliminary

Sections 1-3 establish the short title, commencement, interpretations, and objects of the Act. The objects are to strengthen climate resilience, mainstream climate action, enable low-carbon development, establish a financing mechanism, strengthen institutional capacity, ensure inclusive participation, support community-based innovation, and promote climate information systems.

Part II: Establishment and Administration of the Fund

Section 4 establishes the Laikipia County Climate Change Fund with clear governance and utilization principles. The Fund will be utilized in accordance with the published Eligibility Criteria, which address relevance to adaptation and mitigation, inclusion of vulnerable groups, complementarity with existing initiatives, sustainability, and alignment with development priorities.

Section 5 specifies diverse funding sources, including County budget appropriations (minimum of 3%), national government transfers, grants and loans from the National Climate Fund, international climate finance, contributions from Public Benefit Organizations, fees from climate activities, and carbon trading revenues.

Section 6 requires publication of a County Climate Finance Framework every three years to establish mechanisms for resource mobilization, ensure transparency and accountability, strengthen partnerships, identify priority investments, leverage innovative financing, and align with national frameworks.

Part III: Institutional Arrangements

Sections 7-9 establish the Steering Committee (comprising the Governor, relevant CECM members, the County Attorney, and representatives of national agencies, PBOs, and business) to oversee implementation, mobilize resources, and ensure compliance with public finance management standards.

Sections 10-12 establish the County Climate Change Planning Committee (comprising the Chief Officer for Climate Change and relevant County Directors) to develop eligibility criteria, evaluate projects, prepare budgets, ensure equitable allocation, and provide monitoring and capacity building.

Both committees have clear procedures for meetings, decisions, conflict of interest management, and reporting, with detailed protocols in the First Schedule.

Part IV: Ward Climate Governance Structures

Sections 13-15 establish Ward Climate Change Planning Committees in each ward comprising representatives of climate-sensitive livelihoods (water, health, agriculture, livestock, environment, disaster risk reduction), minority communities, persons with disabilities, and an elected chairperson. These committees ensure grassroots participation, community consultation, and local project development.

Part V: Climate Information and Action Planning

Sections 16-19 require the County to conduct Participatory Climate Risk Assessments every five years (with mid-term reviews), prepare State of the Climate Laikipia reports every three years, publish County Climate Change Action Plans every five years, and develop Climate Information Service Plans. These mechanisms ensure evidence-based decision-making and transparent reporting on climate priorities and progress.

Part VI: Carbon Trading

Section 20 establishes a framework for carbon market development including project identification and registration, compliance with national and international standards, community rights safeguarding, and revenue allocation. Carbon revenues strengthen the Fund and support community development priorities.

Part VII: Disbursement and Management of the Fund

Sections 21-27 detail fund allocation procedures using transparent criteria (climate vulnerability, population, development priorities, absorption capacity, equity). Community consultation forums ensure community priorities are identified before the financial year. Project evaluation follows standardized procedures. Grievance redress mechanisms ensure accountability and fairness.

Part VIII: Financial Provisions

Sections 28-30 establish banking arrangements, limit administrative costs to 5% of annual allocation, and require annual audits with public disclosure of budgets and project information.

Part IX: Miscellaneous Provisions

Section 31 establishes a County Climate Change Forum for bi-annual stakeholder engagement.

Section 32 authorizes the Executive Member to develop Regulations within six months of the Act's commencement.

Section 33 protects officers acting in good faith.