

**SPEECH DELIVERED BY THE CHAIRPERSON OF THE KENYA LAW REFORM COMMISSION, MBAGE NG'ANG'A DURING THE LAUNCH OF THE COUNTY MODEL LAWS AT THE KENYA SCHOOL OF GOVERNMENT, NAIROBI THE 15<sup>TH</sup> DAY OF NOVEMBER, 2016.**

Our Chief Guests, all distinguished guests, ladies and gentlemen.

We are honoured that you have joined us here as we launch the “County Model Laws”. As other speakers have earlier recollected, the Constitution of Kenya, 2010, introduced a new governance framework with a two tier government; the National and County Level. Your presence from across the 47 counties is indeed a testament of your commitment towards effective constitutional implementation and especially devolution.

On our part, the Kenya Law Reform Commission (KLRC) envisions to be a vibrant agency for responsive law reform. As a statutory body, we draw our mandate and functions from the Constitution of Kenya, 2010 and Section 6 of the KLRC Act of 2013. In response to this mandate, we have purposed in our 2013-2017 Strategic Plan, to facilitate law reform conducive to social, economic and political development. Towards this end, we collaborate and work with both state and non-state actors in keeping all laws in Kenya (County and National) under review, ensuring their systematic development and reform in conformity with the Constitution of Kenya 2010 (CoK, 2010).

In line with this mandate and functions, KLRC continues to be proactive in effective implementation of devolution by supporting development of county legislation as envisaged in the CoK, 2010 and the County Governments Act, 2012. This has been achieved by providing technical assistance to County Governments in the development and reform of their laws and policy framework. The development and publication of County Model laws in collaboration with County Governments and stakeholders is one of the many initiatives to enhance effective county legislation process.

**Our chief and distinguished guests,**

We remember that the initiative was rolled out in the year 2014 after just a year of the installation of County Governments. The primary idea behind the “Model Laws” initiative was conceived out of the realization that our “young counties” needed procedural and substantive guidelines in development of legislation. Further, there was a clear indication that the commission and other stakeholders would be constrained especially in meeting the huge

demand for technical support by the respective county governments. These gaps would therefore hamper the process of framing high quality legislative instruments.

The model laws therefore sought to address the complexities of generating effective, and harmonized legislation unique to each county government`s needs. The model laws therefore do not purport to prescribe the specific contents each county`s legislation. What they offer is a sample framework with basic tenets that would be essential in the process of law making at the counties.

The County Model Laws are drawn from the 4th Schedule of the CoK, 2010 specifically giving effect to operationalization of County functions. They are generically but professionally designed as a measure to guarantee that county legislators: development conscious, realigned towards best standards and are in conformity with the Constitution of Kenya, 2010.

With many success stories from the Counties, the formal launch of the County Model Laws after the Constitutional implementation Transition Period is to promote uptake and application in the attainment of minimum thresholds and standards in effective legislation.

Remarkably, the continuous process of collecting and collating information, consultations with stakeholders, review and validation has been just as interesting and fulfilling as the drafting of the Model Laws. On behalf of the Commission, I recognize and appreciate the support rendered by all our stakeholders leading to the success of this process. The Commission is forever grateful to our partners particularly USAID (the AHADI Project), the Office of the Attorney- General and Department of Justice, Ministry of Devolution and Planning, International Law Development Organization,

Danish International Development Agency, Law Society of Kenya, County Assemblies Forum, County Attorney`s Forum, the Judiciary, the Council of Governors and the former Commission for the Implementation of the Constitution as well as the Transition Authority, without whose support, this edition of the Model Laws would not have seen the light of day.

I further wish to acknowledge with profound gratitude the efforts of all those experts who were instrumental in the development of the model laws. To staff and colleagues at the Commission, the Steering Committee, the various institutions and stakeholders who participated in consultation and validation processes, without whose contribution and dedication the accomplishment of this milestone would not have been possible, we are deeply grateful.

We remain confident that the Commission, its partners and the people of Kenya will continue working closely in all areas in strengthening issue based, citizen centered, accountable and result-oriented law reform towards realizing the Constitutional aspirations and Kenya Vision 2030's Social, Economic and Political Development Goals.

In conclusion, I welcome you to be part of this ceremony as a bold step towards effective and harmonized legislation in the counties.

Thank you and God bless you.

Mr. Mbage Ng'ang'a  
**CHAIRMAN**

**Kenya Law Reform Commission**