



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE
REGULATORY AUTHORITIES AND AGENCIES REPORTING TOOL FY 2024/2025

To: All Chairpersons and Chief Executive Officers of Regulatory Authorities and Agencies

Purpose of this Tool

The purpose of this tool is to enable the Office of the Chief of Staff and Head of the Public Service (COS&HOPS) to track, monitor and evaluate the performance of Regulatory Authorities and Agencies (RAA) towards the achievement of the achievement of the Kenya Kwanza Government's goal of premier service delivery for all Kenyans. This is in line with the mandate of COS&HOPS as outlined in the Executive Order No. 2 of 2023, which is to among other responsibilities:

- Promote ethics, good governance, efficiency, and effectiveness in the provision of public services through the deployment of right skills, values, and leadership in the Kenyan Public Service; and
- In liaison with Cabinet Secretaries and Principal Secretaries, oversee the administration of all state corporations and established public entities, as well as facilitate the resolution of operational challenges and major policy concerns as escalated.

An analysis of the responses from this tool will provide an evidence base for the Office of COS&HOPS to work together with Principal Secretaries; Standing Committees on the Revitalisation and Re-energisation of RAA; RAA; and all other relevant stakeholders to ensure optimal performance by RAA in the execution of their core mandates. This is in line with the Kenya Kwanza Government's prioritization of its responsiveness to the needs of the public in a transparent and accountable manner in accordance with the Bottom-up Economic Transformation Agenda (BETA).

Your Role as Chairpersons and Chief Executive Officers:

Upon receipt of this tool, Chairpersons and Chief Executive Officers of respective RAAs are requested to ensure that it is filled accurately and honestly.

The Role of Standing Committees on the Revitalisation and Re-energisation of RAA

To work actively and collaboratively with the RAA under their ward to achieve optimal performance.

The Role of Principal Secretaries

To provide overall leadership and management of the process, full details of which are within their knowledge.

Regulatory Authorities and Agencies Reporting Tool FY 2024/2025 – Office of COS &HOPS – May 2024



1. DETAILS OF REGULATORY AUTHORITY/AGENCY

<p>i. Name of Regulatory Authority/Agency:</p> <p>ii. Geographical Location of the Regulatory Authority/Agency and Branches, if any:</p> <p>iii. Official Contact Details: (Telephone and Email Address)</p> <p>iv. Name of Chairperson of Board: (indicate whether the Chairperson is Executive or Non-Executive)</p> <p>v. Name of Chief Executive Officer:</p> <p>vi. What Sector of the Economy is your Regulatory Authority/Agency concerned with?</p> <p>vii. Is your Organisation both a regulator and an implementer?</p> <p>viii. Where does your organisation derive its mandate (Statute; Regulation; Executive Order; Legal Notice; Others – provide details):</p> <p>ix. Total Number of Board Members including Details of:</p> <ul style="list-style-type: none">a. Substantive Board Members;b. Ex-Officio Board Members;c. Representatives of Government Institutions – state the Total Number;d. Number of Independent Board Members;e. Number of Board Members who are stakeholder nominees;f. If the number of Substantive Board Members exceeds 9, provide the justification.
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2. REGULATORY MANDATE

- i. Based on the legal instrument through which you derive your mandate, what is your **core regulatory mandate** (what do you principally exist to do)
- ii. What is the geographical scope/reach of your regulatory mandate?
- iii. As a regulator, who and/or what types of persons/entities do you principally superintend/ supervise/regulate in the execution of your core regulatory mandate?

3. TOOL USED TO CARRY OUT REGULATORY MANDATE

Do you have a tool to enable you to carry out your regulatory role in respect of the entities/persons you regulate?

i. YES [] if Yes:

- a) Provide a copy.
- b) Has the tool been peer reviewed?/subjected to stakeholder engagement?/ and/or validated?

YES [] (if Yes, provide details) NO [] (if No, provide reasons)

- c) Have you disseminated your tool to the entities/persons you regulate and have they been trained virtually or physically on your expectations in respect of the tool?

YES [] NO []

ii. NO [] if No:

- a) Explain why not.
- b) Explain how you carry out your regulatory role without a tool.



4. (i) POWERS/AUTHORITY TO REGULATE

As a Regulator, what power(s)/authority do you possess to carry out your regulatory mandate in accordance with the legal instrument through which you are constituted (e.g. set norms and standards; issuance/renewal/denial/cancellation of permits and licences; setting of prices; fines and penalties; surcharge; suspension; censure; seizure; confiscation; stoppage of offending action; inspection; certification; etc.) – Provide a list

For example:

- a) Issuance of permits
- b) Certification
- c) Cancellation
- d) Fines
- e) Suspension
- Etc.

[NB: Your regulatory power(s)/authority may affect the entities/persons you regulate positively or negatively].

4. (ii) FREQUENCY OF DEPLOYMENT OF THE POWERS/AUTHORITY TO REGULATE LISTED IN 4 (i) ABOVE

S/No.	Power(s)/ Authority	May 2024	June 2024	July 2024	August 2024	September 2024	October 2024
a)	Issuance of permits	1150	720	22	98	449	39
b)	Certification	216	802	563	601	791	49
c)	Cancellation	0	0	3	74	38	100
d)	Fines	61	546	881	634	401	198
e)	Suspension	3	35	12	78	29	13
Etc.							

*The details in the table above are only but an example to demonstrate how the same should be filled out by RAA based on their context.



Key to columns of the table above:

S/No. – should correspond to the list provided in 4 (i) above.

Power(s)/Authority - should correspond to the list provided in 4 (i) above.

May 2024 to October 2024 – provide details in numbers only as shown in the example above.

The Standing Committees on the Revitalisation and Re-energisation of RAA must interrogate the details pertaining to the figures indicated in the table above as part of the process of assisting the RAA to continuously enhance their performance to optimal levels.

5. IMPACT OF THE EXERCISE OF YOUR REGULATORY MANDATE

State at least four (4) clear ways in which the deployment of your power(s)/authority to regulate as detailed in your responses to No. 4 (i) and (ii) above has impacted on the quality/quantity of service delivery to Kenyans.

For example:

- a) Increased or reduced a specific factor by x%;
- b) Introduced a new habit/behaviour that promotes the achievement of premier service delivery;
- c) Promoted the ease of doing business in y sector thereby raising the income earned by businesses to Kshs. x, and by extension increase of tax revenue for the State to Kshs. x;
- d) Prevented the loss of public resources to the tune of Kshs. x.