

FOURTH SCHEDULE (Article 185 (2), 186 (1) and 187 (2))**DISTRIBUTION OF FUNCTIONS BETWEEN THE
NATIONAL GOVERNMENT AND THE COUNTY
GOVERNMENTS**

PART 1—NATIONAL GOVERNMENT

1. Foreign affairs, foreign policy and international trade.
2. The use of international waters and water resources.
3. Immigration and citizenship.
4. The relationship between religion and state.
5. Language policy and the promotion of official and local languages.
6. National defence and the use of the national defence services.
7. Police services, including—
 - (a) the setting of standards of recruitment, training of police and use of police services;
 - (b) criminal law; and
 - (c) correctional services.
8. Courts.
9. National economic policy and planning.
10. Monetary policy, currency, banking (including central banking), the incorporation and regulation of banking, insurance and financial corporations.
11. National statistics and data on population, the economy and society generally.
12. Intellectual property rights.
13. Labour standards.
14. Consumer protection, including standards for social security and professional pension plans.
15. Education policy, standards, curricula, examinations and the granting of university charters.
16. Universities, tertiary educational institutions and other institutions of research and higher learning and primary schools, special education, secondary schools and special education institutions.
17. Promotion of sports and sports education.
18. Transport and communications, including, in particular—
 - (a) road traffic;

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- (b) the construction and operation of national trunk roads;
 - (c) standards for the construction and maintenance of other roads by counties;
 - (d) railways;
 - (e) pipelines;
 - (f) marine navigation;
 - (g) civil aviation;
 - (h) space travel;
 - (i) postal services;
 - (j) telecommunications; and
 - (k) radio and television broadcasting.
19. National public works.
 20. Housing policy.
 21. General principles of land planning and the co-ordination of planning by the counties.
 22. Protection of the environment and natural resources with a view to establishing a durable and sustainable system of development, including, in particular—
 - (a) fishing, hunting and gathering;
 - (b) protection of animals and wildlife;
 - (c) water protection, securing sufficient residual water, hydraulic engineering and the safety of dams; and
 - (d) energy policy.
 23. National referral health facilities.
 24. Disaster management.
 25. Ancient and historical monuments of national importance.
 26. National elections.
 28. Health policy.
 29. Agricultural policy.
 30. Veterinary policy.
 31. Energy policy including electricity and gas reticulation and energy regulation.
 32. Capacity building and technical assistance to the counties.
 33. Public investment.
 34. National betting, casinos and other forms of gambling.
 35. Tourism policy and development.

PART 2—COUNTY GOVERNMENTS

The functions and powers of the county are—

1. Agriculture, including—
 - (a) crop and animal husbandry;
 - (b) livestock sale yards;
 - (c) county abattoirs;
 - (d) plant and animal disease control; and
 - (e) fisheries.
2. County health services, including, in particular—
 - (a) county health facilities and pharmacies;
 - (b) ambulance services;
 - (c) promotion of primary health care;
 - (d) licensing and control of undertakings that sell food to the public;
 - (e) veterinary services (excluding regulation of the profession);
 - (f) cemeteries, funeral parlours and crematoria; and
 - (g) refuse removal, refuse dumps and solid waste disposal.
3. Control of air pollution, noise pollution, other public nuisances and outdoor advertising.
4. Cultural activities, public entertainment and public amenities, including—
 - (a) betting, casinos and other forms of gambling;
 - (b) racing;
 - (c) liquor licensing;
 - (d) cinemas;
 - (e) video shows and hiring;
 - (f) libraries;
 - (g) museums;
 - (h) sports and cultural activities and facilities; and
 - (i) county parks, beaches and recreation facilities.
5. County transport, including—
 - (a) county roads;
 - (b) street lighting;
 - (c) traffic and parking;

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- (d) public road transport; and
 - (e) ferries and harbours, excluding the regulation of international and national shipping and matters related thereto.
6. Animal control and welfare, including—
- (a) licensing of dogs; and
 - (b) facilities for the accommodation, care and burial of animals.
7. Trade development and regulation, including—
- (a) markets;
 - (b) trade licences (excluding regulation of professions);
 - (c) fair trading practices;
 - (d) local tourism; and
 - (e) cooperative societies.
8. County planning and development, including—
- (a) statistics;
 - (b) land survey and mapping;
 - (c) boundaries and fencing;
 - (d) housing; and
 - (e) electricity and gas reticulation and energy regulation.
9. Pre-primary education, village polytechnics, homecraft centres and childcare facilities.
10. Implementation of specific national government policies on natural resources and environmental conservation, including—
- (a) soil and water conservation; and
 - (b) forestry.
11. County public works and services, including—
- (a) storm water management systems in built-up areas; and
 - (b) water and sanitation services.
12. Fire fighting services and disaster management.
13. Control of drugs and pornography.
14. Ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.