

**MOMBASA COUNTY ASSEMBLY
HANSARD REPORT**

Thursday, 22nd December, 2016

The House met at 2:30pm.

(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

PRAYERS

Deputy Speaker (Hon. Mswabah Rashid): Members have your seats, yes Clerk?

COMMUNICATION FROM THE CHAIR

Good afternoon Members this is to inform the House that we are going for recess from the 22nd of December to 4th of January 2017, yes Clerk?

STATEMENTS

Hon. Omar Ibrahim.

(Silence)

Clerk.

STATEMENT

Hon. Kizito Opeya.

Hon. Opeya: Thank you Mr. Speaker, I seek to know from the Chairman Committee on Transport and Public Works what measures the Department of Transport and Infrastructure is taking to replace street lights that are not in working condition on Links Road Nyali and other roads in the County, thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Chairman Committee on Transport? Yes Hon Makarani?

Hon. Mwalimu: Thank you Mr. Speaker, I am a Member of Transport Committee and we are looking forward to meet the Executive Member to find out about this issue and we shall fast track and see that the street lights are rectified soon even though there were some technicalities but we will meet the Executive Member.

Now that we are going for recess after recess I will respond and the Honorable Member will also confirm that the lights are on. Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): That's okay but you take the matter and bring us a good report after the recess, Clerk.

STATEMENT

Hon. Ibrahim Kondo.

Hon. Ibrahim Kondo: Thank you Mr. Speaker with due respect I would like to give a statement but before the statement today as you know it was our day of but unfortunately what has happened in the National Assembly has put a threat to the party and also even the Deputy party leader.

So Hon Members of Mombasa County Assembly we are going to gather going together to support our able Members from the CORD coalition to be...from the party leader....

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon what is it?

Hon. Onyango: Mr. Speaker I am confused because what Hon. Kondo is trying to give out is not the same as the one we have in the order paper thank you.

Hon. Ibrahim Kondo: Thank you Hon Speaker I think the English that I am using my learned friend MCA for Mikindani did not understand anything, so I have to translate it to Kiswahili *ili aweze kuelewa vizuri. Nimeomba ruhusa hii kupitia Kiti chako ili kuungana na ndugu zetu ambao wamejaribu kuwa katika maandamano ya kupinga zoezi ambalo limefanyika leo katika Jumba kuu la kuunga sheria Nairobi.*

Kwa hivyo wewe ndio umenipa ruhusa Mheshimiwa Spika na nashangaa....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon Dancun what is it?

Hon. Onyango: Mheshimiwa Spika nafikiria hili ni Jumba la sheria na anacho kizungumza hakiko kwenye *Order paper*, hio ndio nilikua nataka kusema taarifa iliyo hapana ile anatoa ni tofauti. Kwa hivyo naomba mwelekeo wako Mheshimiwa Spika...

(Loud consultation)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Makarani what is it?

Hon. Mwalimu: Mheshimiwa mambo anayofanya Mheshimiwa Ibrahim Kondo ni sawa na yale Jubilee wanafanya kule Bunge kuu Mheshimiwa Spika...

(Laughter)

Kujaribu kuleta mambo ambayo hayako katika *Order paper* uyaingize katika *Order paper* kwa nguvu nguvu; Mheshimiwa Spika kupitia kiti chako naomba umuambie Mheshimiwa asipotoshe Nyumba hii kama vile Jubilee wamepotosha Nyumba ya National Assembly. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Ibrahim can you go to the business of the day.

Hon. Ibrahim Kondo: Okay am going straight to the business but before I continue Hon. Fadhili Mwalimu is not in a proper attire and this is not a club Hon. Speaker, he's not in a proper attire he doesn't have a tie.

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Sergeant At Arms, can you verify?

Hon. Ibrahim Kondo: He has to go out and....

Deputy Speaker (Hon. Mswabah Rashid): Can you verify the statement by...

(Laughter)

(Sergeant -At - Arms confirmed Hon Mwalimu being properly dressed)

Deputy Speaker (Hon. Mswabah Rashid): He's properly dressed.

Hon. Ibrahim Kondo: I think the Sergeant At Arms is also blind, as you see now where is the tie? Thank you Hon. Speaker I want to go straight to the statement;

I seek to know from the Chairman Committee on Transport and Public Works what measures the department of Transport and infrastructure is taking to put up road signs to guide motorists and pedestrians in order to prevent accidents in the County, thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Chairman for Committee on Transport, is he here to give us an answer to that, the Chairman to give the statement immediately after recess, Yes Clerk.

STATEMENT

Hon Kondo, again.

Hon. Ibrahim Kondo: Thank you again Hon. Speaker I seek to know from the Chairman Committee on water...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Hatimy what is it?

Hon. Mohamed Hatimy: Thank you Mr. Speaker, is it in order Hon. Kondo to give two statements at a go?

Hon. Ibrahim Kondo: I think it is exactly in order and this is why the Order paper is here in front so Hon. Hatimy we are in proper order;

I seek to know from the Chairman Committee on Water of the House and natural resources what measures the department of water and natural resources is taking creating a

smooth, fair friendly enabling business environment for water vendors in the County and to prevent harassment by departmental staff and County *askaris*.

Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Chairman of Committee on Water and Natural Resources, the Chairman should be informed to answer that statement as soon as possible, Yes Clerk.

STATEMENT

Hon. Mary Akinyi?

Hon. Onyango: Mr. Speaker on behalf of Hon. Mary Akinyi who is not in the House kindly may I have your permission to give out a statement? Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Kondo why are you up?

Hon. Ibrahim Kondo: I am up on a point of order Hon. Speaker it is very sad always when Hon. Mary is not around.

Deputy Speaker (Hon. Mswabah Rashid): What Standing order?

Hon. Ibrahim Kondo: 16 of 2a.

(Laughter)

...Ever statement and Motion brought by Hon. Mary Akinyi and then we are told here that Hon. Duncan is standing on behalf of Mary Akinyi

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy you were saying something?

Hon. Mohamed Hatimy: Hon. Speaker I think Standing order 16 is about Minority leader.

Deputy Speaker (Hon. Mswabah Rashid): It's talking about Minority leader.

(Laughter)

Hon. Mohamed Hatimy: He's misleading this House Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Kondo can you re-track that statement.

Hon. Ibrahim Kondo: 16 2a is talking about Minority and this House the Minority is a woman so I was just comparing it with Mary Akinyi.

So Mr. Speaker sir I just wanted to talk about the women and the Minority leader of the House is Hon. Maimuna so am right Hon. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Duncan can you continue.

Hon. Onyango: Thank you, Mr. Speaker the mad people are not only found in the market. Mr. Speaker on behalf of Mary Akinyi allow me to read a statement.

(Hon Onyango read statement)

...I seek to know from the Chairman Committee on Energy, Trade and Industry what measures the department of Energy, Trade and Industry is taking to operationalize the revolving fund for small scale traders to benefit from. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Kondo do you have an answer to that.

Hon. Ibrahim Kondo: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kutokana na hoja ilioletwa na Mheshimiwa Mary Akinyi kupitia kwa Mheshimiwa Duncan ni swala ambalo liko kwenye meza ya viongozi wanaoshikilia Wizara ya biashara, Kawi na viwanda, ombi ambalo limepitia kwa wengi na mpaka sasa nafikiri tuko na tatizo la fedha lakini swala hili tutakaporudi katika Jumba hili baada ya kumaliza muhula wetu litashughulikiwa kwa dhati kwa sababu bajeti yake ilikuwa imepangwa na tunasubiri fedha kutoka katika Wizara ya fedha ili

tuweze kuangalia ni njia gani tutaanza kugawanya fedha zile kwa kila kikundi ambacho kiliweza kuhitaji fedha hizo. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Patrick Siminyu?

Hon. Siminyu: Thank you Mr. Speaker I would like to seek the statement from the Chairman Committee of Finance on stoppage of payment of House rent of old estates which has been stopped currently; they are told not to pay so am seeking a verification on that matter involving all our estates. Thank you Mr. Speaker Sir.

Deputy Speaker (Hon. Mswabah Rashid): Finance Chair.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kama tunavyojua kwa *account* yetu mapato yanaenda juu na hii imeletwa kwa sababu ya mipango ya ki elektroniki kwa hivyo kwa hivi sasa tunasema hakuna tena kukusanya *cash*.

Kwa hivyo watu wote watakikana wawe wanalipa pesa kupitia Mpesa na nafikiri hata chini ukienda kuna notisi ambayo imewekwa na watu wamefahamishwa kuwa pesa zozote lazima zilipwe na Mpesa Mheshimiwa Spika lakini tukirudi baada ya mapumziko nitaleta ripoti.

Deputy Speaker (Hon. Mswabah Rashid): Yes Jimmy Odari?

Hon. Odari: Thank you Mheshimiwa Spika. Mheshimiwa Spika nafikiri Mheshimiwa mwenzangu amefanya hiyo nilikuwa ni maombi lakini aka ni *overtake* yeye namtuma nimemu *consult* kama mwenzangu nikamwambia mwenzangu nataka nisimame niulize...

(Laughter)

...Sawa lakini Mheshimiwa Spika nimeridhika na jawabu lililotolewa na Mwenyekiti wa Fedha...

(Interruption and Laughter)

....Sawa, Mheshimiwa nimepata angalau jawabu la kwenda kuwaambia watu wangu.

Deputy Speaker (Hon. Mswabah Rashid): Yes Clerk, yes what is it Hon Saad Faraj?

Hon Saad Faraj: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika naona hapa kuna pingamizi kuwa ni yupi aliyeleta na ni yupi wa kusema...

(Interruption and laughter)

..Kwa ufupi Mheshimiwa Spika ni jambo ambalo linagusa kila mmoja na mimi pia kama Mwenye kiti wa Ardhi inanigusa moja kwa moja kwa sababu *estate* zaidi ziko chini ya department ya ardhi na nyumba.

Kwa hivyo Bwana Spika litakuwa ni jambo la kuliangazia lakini kwa sababu Mheshimiwa Mwenyekiti wa Fedha amezungumza wazi na akaelekeza tutachukua maoni yake kuwa ni maoni ya kutupatia mwelekeo endapo tutataka jawabu zaidi mbeleni. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Hatimy.

Hon Mohamed Hatimy: Mheshimiwa Spika mimi nimesimama ndani ya Nyumba hii kuuliza *Order papers* zimekuwa zinatembezwa bila namba; hii itatutaliza Mheshimiwa Spika, ukiangalia hii karatasi haina namba yeyote.

Kwa hivyo Mheshimiwa Spika nafikiri upande wa *Clerk* wanatakikana wawe wakiangalia wasidharau mambo madogo kama haya. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Hon Hatimy it is written in words one hundred and sixtieth sitting, but it should be in numerical also. Yes Clerk.

MOTION

Leader of Majority...

Leader of Majority (Hon Mwidani): Thank you Mr Speaker sir may I take this opportunity to table the Motion, adjournment of the County Assembly.

(Leader of Majority (Hon Mwidani) read)

That, pursuant to the provisions of Standing order 25 (3) this House adjourns until Tuesday, January 17th 2017 in accordance with the amended calendar of the Assembly.

(End of Motion)

Thank you Mr Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Mheshimiwa...

(Interruption)

Leader of Majority (Hon Mwidani): Let me take this opportunity again to request Hon Hatimy to second the Motion.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Hatimy.

Hon Mohamed Hatimy: Thank you Mr Speaker. I Mohamed Hatimy Nominated Member do hereby second the Motion. Thank you Mr Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Members I should propose the question. It has been proposed that the County Assembly should adjourn until Tuesday January 17th, 2017 in accordance with the amended calendar of the Assembly. Yes Hon Mwidani.

Leader of Majority (Hon Mwidani): Thank you Mr. Speaker I think now I would just say that pursuant to the provisions of Standing order 25 (3) this House adjourns until Tuesday, January 17th, 2017 in accordance with the amended calendar of the Assembly.

Members I wish you well, you have a very good Christmas and a prosperous New year....

(Interruption and laughter)

(Applause)

...Anyway I think it is a good time now for the Members to have something done at their wards.

Mr Speaker as we are nearing elections I think we are going to use this time to organize ourselves; as you know we have a lot of people now trying to make sure this House changes but I wish all the Members that they may work hard to make sure they come back after the elections although the elections are yet but you never know as my colleague has put it you see the whole House what the National Assembly today what they did but actually we are praying for this country.

So Mr. Speaker I think I am so happy for Members to pass this adjournment for the benefit of the Members .Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Hatimy.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kwa sasa tumekubaliana kwa kauli moja kwamba tarehe ambazo zimeletwa leo lakini pole kwa kusema kuwa tarehe 26 Januari Seneti imeweza kuandikia *County report* ya 2014/2015, kwa hivyo nataka iwekwe kwenye kumbukumbu kuwa Kamati ya... naona Mwenyekiti wangu ametolewa nje, kwa hivyo Kamati ya PAC itaendelea na vikao vyake na kuweza kumaliza ripoti kabla 24th ama 26th Januari.

Mheshimiwa Spika kwa ruhusa yako tunasema kuwa *recess* ni hiyo, kwa hivyo twaomba ruhusa ya Jumba hili iweze kutupatia ili tuendelee na vikao. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Kondo.

Hon Ibrahim Kondo: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nimesimama kuunga mkono mswada huu ulioletwa na Kiongozi wa Wengi ili viongozi waweze kupata nafasi ya kwenda kupumzika.

Mheshimiwa Spika mswada huu umekuwa wakati mwafaka ambapo nimetangulia kusema kwamba ndugu zetu wanaosimama kidete na chama cha ODM leo wameanzisha mandamano

kwenda mbele ya mahakama ili kupinga mambo ambayo yamekuwa yakiendelea katika Bunge letu la kitaifa.

Mheshimiwa Spika kupitia kwa kiti chako pia ningelipenda mwelekeo zaidi kwa Kamati inayohusika na upande wa biashara au viwanda wako na mikakati mwafaka iwapo watapewa nafasi ya wao kukutana kwa sababu *Single Business Permit* ambapo Mwenyekiti wa Fedha alitangulia kusema kwamba watu wanatumia Mpesa.

Kwa sasa na jana nilipata ripoti kutoka kwa *Chief Officer* wangu ni kwamba kuna mikakati zaidi kwa kipindi hiki cha wiki mbili ama tatu ili kuhakikisha kwamba swala la malipo kuanzia mwezi wa Januari linaungana kutokana na stakabadhi ambazo zimekuja ili kuunganisha vitengo vyote vya malipo kupitia hio mikakati.

Kwa hivyo ningelipenda kuomba pia Mheshimiwa Spika Kamati iwe inaweza kukutana kwa sababu itakuwa inaitwa na *Chief Officer* na waheshimiwa wengine ili tuangalie mikakati ya maisha jinsi itakavyo kwenda. Ahsante Mheshimiwa Spika na nafikiri tutakuwa tumeelewana.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Saad Faraj.

Hon. Faraj: Ahsante sana Mheshimiwa Spika kwa fursa hii. Mheshimiwa Spika kama tunavyofahamu tulikuwa tunaanzisha rasmi mradi wetu ambao ulikuwa unatoka katika kitengo cha nyumba na ikawezekana kuwa tuahirishe ule uzinduzi wa kuweza kuanzisha ule ujenzi wa kimataifa ule ujenzi wa nyumba mpya kwa sababu kulikuwa na marekebisho fulani na kulikuwa hakujakamilika mambo fulani.

Ukitathmini pia swala ambalo limeletwa hii leo kuhusiana na wale wanaoishi katika nyumba zile na yale matatizo ambayo wako nayo naona Mheshimiwa Spika kwa sababu ya uamuzi wa *department* kuamua tena kuwa watafanya mikutano katika *deadline*.

Kuna umuhimu kwa Kamati ya ardhi na nyumba iweze kuendelea na mikutano yake ili kuweza kuhakikisha kama kuna utata wa aina yeyote, kuna mikutano yeyote ambayo inatajikana baina ya sisi kama wawakilishi na wakaazi wa nyumba zile kabla ya kuanzishwa rasmi mradi ule nafikiri utakuwa ni muhimu sana ukitupatia nafasi ili kuangalia namna gani tunaweza kuendeleza maswala haya ukitathmini namna gani tunaweza kwa sababu kwa miezi michache tunaenda katika kura.

Naomba Mheshimiwa Spika Kamati ya ardhi iweze kuendelea na mikutano yake. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Patrick Siminyu.

Hon. Siminyu: Thank you Mr Speaker, on Tuesday this coming week we are supposed to have a meeting with the lands department on the estates and I agree with the Chairman housing there must be a need for the committee to sit down.

Mr. Speaker by saying this I mean Committees must be allowed to meet if the need arises because there are a lot of things which need to be tackled even if the House is on recess, I think all Committees should be given an opportunity to have sittings if the need arises. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Kizito Opeya.

Hon. Opeya: Thank you Mr. Speaker as the Chairman of the Implementation Committee I want to notify this House that we are going to take this time with the Committee Members to go round all these projects that have been done want to make sure when we come back to this House to make sure all the projects are done.

We are now heading to the elections having completed the manifesto of Governor Ali Hassan Joho so we are going to be hitting the roads so that we make sure all the roads, schools, street lighting, hospitals which have been built we will push the executive as we finish the manifesto of the Governor and make sure our re-election will be 100 per cent. Thank you.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon Fundi Kitsao.

Hon Fundi: Ahsante Mheshimiwa Spika kwa kunipatia nafasi hii ili niweze kutoa mchango wangu kwa hoja ambayo imeletwa; kwanza ningependa kumpatia kongole Mheshimiwa Kiongozi wa Walio Wengi kwa kutuletea huu mswada leo ingawa kadri alivyosema mswada lakini ningependa kuchukua nafasi hii kuomba uongozi wa Nyumba hii ambayo kwa saa hii uko chini yako.

Mheshimiwa Spika tunakwenda nyumbani na kule nyumbani kutahitajika mambo mengi na tunakwenda mkono mtupu; tuna madeni mengi ambayo tunadai na pia tuisisahau kwamba tuna wafanya kazi katika zile ofisi zetu, hawa ni watu ambao pia wanatarajia waweze kujumuisha watoto wao, familia zao katika kusherehekea siku kuu ya Krismasi na pia siku kuu ya mwaka mpya.

Kwa hivyo nafikiria kupitia kwa kiti chako na uongozi wa Nyumba hii ingekuwa ni jambo la busara kufanyike mpango ili kama kuna madeni ambayo tunadai ya ofisi wale ambao wanastahili waweze kulipwa ili waweze kusherehekea.

Mbali na hiyo pia kipindi ambacho kinakuja Mheshimiwa Spika ni kipindi ambacho tutakuwa tunashughulika sana kule mashinani na pia tungeomba kupitia kwako yale madeni ambayo tunadai kwa sababu ya zile *credit* pia tupatiwe kwa sababu tutakuwa tunatumia simu kwa mda mrefu na kwa mara nyingi.

Kwa hivyo hayo madeni ambayo tunadai Mheshimiwa Spika ingekuwa ni bora kufanywe mikakati ili kufikia tarehe 24 ama 25 tuwe tunaweza kulipwa yale madeni ambayo tunadai ili wale watu wetu pia waweze kusherehekea.

Mheshimiwa Spika wakati ambao tunakwenda kule nje utakuwa ni wakati mgumu kwa sababu tutapumzika lakini uchaguzi ndio unaingia kwa sababu sisi pia tutahitajika kuonana na watu wetu na ikiwa tutakwenda kule na hapa pia tuna madeni ambayo tunadai pia itakuwa si haki.

Tungefanyiwa bidii madeni ambayo tunadai tuweze kulipwa ili tukienda kuonana na watu wetu tuwe tuna nafasi ya kuweza kujumuika nao katika njia ya furaha wakati huu wa shughuli nyingi na pia kupitia Kamati ya uvuvi Mheshimiwa mimi nikiwa ni mmoja wao nikiwa chini ya Mwenye kiti wangu ambaye hayuko hapa leo ningependa kusema kuwa pia kwa sababu ni juzi tu Mheshimiwa Gavana aliweza kutuanzishia ile mashua ambayo ni muhimu na ile inatajikana pia iweze kupangiwa mikakati ili iweze kufanya kazi kwa hivyo...

(Applause)

..hii Kamati ya uvuvi pia ipatiwe nafasi ili iweze kuendelea na mipangilio ili kuhakikisha kwamba ile mashua inaweza kwenda kufanya kazi ili iwafaidishe watu wetu. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Jimmy Odari Khardati.

Hon Odari: Ahsante Mheshimiwa Spika kwa fursa hii. Mheshimiwa Spika nataka kuchukua fursa hii kuomba uongozi wa Bunge hili tukufu, ni fursa ya Kamati yangu ya haki na maswala ya sheria ipate kujadili kwenye kongamano...

(Laughter)

..Maswala ya *Bill* ambayo *Bill* hii imesumbua serikali kwa mda mrefu, ni miaka mitatu tangu tulete *public participation Bill* na mpaka sasa wananchi wanapiga kelele huko nje...

(Laughter)

...Mheshimiwa Spika kumekuwa na haja ya mazungumzo ama kongamano baina ya Kamati hii na wanasheria...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Yes Mheshimiwa Patrick Siminyu, what is it?

Hon Siminyu: Mheshimiwa Spika nilikuwa nataka maelezo kutoka kwa Mheshimiwa kwa sababu ile *Bill* inasumbua Kaunti ya Mombasa, inasumbua vipi hio *Bill*.

Hon Odari: Nitakuelezea ndugu yangu *Bill* hii inasumbua kwa kuwa huko nje kila kukiwa na kongamano la nyumbani, watu wa *civil society* wanatupiga vita wanatukosoa wanatukashifu kwa ajili ya hii *Bill*...

(*Interruption*)

Deputy Speaker (Hon. Mswabah Rashid): Yes Mheshimiwa Saad Faraj.

Hon Faraj: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika inaonekana shida hazikuanza leo wala jana na kongamano ambazo Mheshimiwa anazungumzia nazo natumai hazikuanza jana wala mwaka huu hivi sasa toka Disemba, na swala la *public participation Bill* pia halikuanza leo limeanza takriban miezi minane ama tisa lakini nashangaa kwamba sasa ndio yaonekana muhimu wa Kamati ya *Justice and legal affairs* ikifika December ndio wanakumbuka kuwa kulikuwa na *Bill* ya kujadiliwa Disemba.

Mheshimiwa Spika sasa naomba ufafanuzi wa hayo kama ni muhimu ingekuwa umuhimu umeanza kitambo wangezimalizia huko hizo ziara zake. Ahsante.

Hon Odari: Ahsante msemaji ulietoka kwa maoni yako...

(*Laughter*)

...Mheshimiwa Spika hivi karibuni kulikuwa na mazungumzo na mawasiliano baina ya upande wa Bunge na upande wa *executive* kuhusiana na swala hilo; ni swala ambalo leo hii limenisumbua kwa sababu imekaa siku nyingi vuta nikuvute.

Hivi siku za karibuni kumekuwa na mawasiliano upande wetu wa Bunge na upande wa *executive* kuhusiana na hilo swala imefikia mahali kuwe kutakuwa na haja ya pande zote mbili tuwe tutakutana na kujadiliana ili kupatikane uiano juu ya hio *Bill*.

Hivi sasa ninavyozungumza Mheshimiwa Spika kuna nakala mbili; ile yetu ya awali tuliotengeneza na kuna mapendekezo kutoka upande wa Gavana ndio nimesema ni muhimu sisi kama Kamati tukae na *executive* Kamati mbili pamoja na vitengo vya sheria kutoka kwa upande wa *executive* na ofisi za wanasheria zetu kwenye kongamano ili tupate uiano ili hii *Bill* ipatikane pande zote mbili zikiwa zimeridhika.

Ndio maana nikasema hayo Mheshimiwa Spika; ni swala *serious* si swala la kutia mzaha ndani yake, *Public participation Bill* kila uendapo swali ni hilo hilo waulizwa *public participation Bill* iko wapi ya Mombasa.

Kwa hivyo kwa vile kumepatikana nafasi...

(*Laughter*)

Deputy Speaker (Hon. Mswabah Rashid): Hon Duncan Onyango what is it?

Hon Onyango: Mheshimiwa Spika nafikiri sote tunaelewa hii ni Nyumba ya sheria na rafiki yangu ndugu yangu ambaye amezungumza mwakilishi wa Wodi ya Changamwe ni mtu ambaye amebobea katika mambo ya sheria na anaelewa vizuri sana sheria za Bunge letu na ndio Mwenye kiti wa sheria lakini ananishangaza leo amekuja amevaa *jeans* na sio sheria ya Bunge...

(*Laughter*)

Naomba utuelekeze...

Deputy Speaker (Hon. Mswabah Rashid): Sergeant At Arms can you verify ?

(*Laughter*)

(*Interruption*)

Yes Hon Hatimy what is it?

Hon. Mohamed Hatimy: Mheshimiwa Spika kama tunavyojua kuwa sisi huenda na bajeti na kwa mjibu wa bajeti yetu ukiangalia *recess* zikiwekwa waheshimiwa huwa hawakai, kwa hivyo sasa kwa kuuliza kwamba Kamati ya PAC na Fedha yataka kukaa inaonekana watu

wote hapa wameinuka wataka kukaa na kwa kawaida huwa hawaji, sijui kama watakuja wakati wa *recess*.

Kwa hivyo nataka kukupeleka katika *Standing order* 192 (2) c inasema kuwa Mheshimiwa Spika Kamati yeyote ambayo yataka kukaa ni lazima ipitie kwa Kamati ya *Liaison* ndio *Liaison* ipeane kibali ndio kamati iweze kukaa...

(*Applause*)

..Kwa hivyo wakati ukifika ikiwa mtu anataka kukaa nafikiri Mheshimiwa Spika umeiona.

Deputy Speaker (Hon. Mswabah Rashid): Yes I have read it.

Hon Mohamed Hatimy: Kwa hivyo Mheshimiwa Spika nafikiri yule ambaye anaona amekuja kufanya kazi ataandika kwako alafu wewe utapeana ruhsa. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you. Members thank you very much for your contributions to this Motion, i have listened to the proposals that in order to meet some constitutional guidelines on the budget and finance I think we have two, two committees to stay which is finance and Public Accounts Committee.....

(*Applause*)

...But the rest I think it is the function of the executive if need be, the executive will invite you thank you. Yes Clerk.

ADJOURNMENT

Thank you very much Members, this House stand adjourned until Tuesday January 17th 2017.

The House rose at 3:13pm.