



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 5th April, 2023
Third Assembly – Twenty Ninth Sitting

*[The County Assembly met at 2:35p.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Abdulrahman Abdulkadir) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Honourable Members, take your seat. Yes Clerk?

STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRANSPORT AND INFRASTRUCTURE,
HONOURABLE HASSAN MOHAMED ON FIRE OUTBREAK IN KONGOWEA MARKET

Yes, anyone from the Committee on Transport and Infrastructure?

[Silence]

Any Member present? Yes, Honourable Joshua you have a response?

Hon. Mose: Yes Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Please proceed.

Hon. Mose: We are requesting for more time; we are not able to get our Chairman.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): That is not a response, at least that is not a response we expected as a House.

Hon. Mose: It is a response but it is not a response you expected but that is what is there right now.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): It is very unfortunate.

Hon. Mose: The Chair is not around; the Vice-Chair is not around and I am just an ordinary Member of the Committee.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Any other Member?

[Silence]

So as Members you have not deliberated on this issue, since it was brought to the attention of the House. Yes, Honourable Manuari?

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Kama alivyotoa jibu ndugu yangu kufikia mpaka saa hizi hatujui tutajibu nini Bunge, kwa sababu Mwenyekiti hapatikaniwi na msaidizi wake ambaye angetushikilia pia ni mteja hapatikani samahani.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Yes, Honourable Prischillah?

The Majority Chief Whip (Hon. Mumba): Ahsante Mheshimiwa Spika lakini kadiri wenzangu walivyosema nafikiri hata mimi niko kwa neno hilo hilo la kuwa hatuwezi kujibu lolote mpaka tupate wahusika wa Kamati ambaye ni kwanza tumpate Mwenyekiti ama Mwenyekiti Mdogo. Sasa ikiwa hawa wote wanasemekana hawaonekani, Memba wa kawaida hatazungumza nini na hajapewa majukumu ya kuwa afanye. Mheshimiwa Spika ni wakati mwafaka wa kuwa muweze kuangalia katika hili suala hawa Wenye viti na Wenye Viti Wadogo wataweza kupatikaniwa vipi ili waweze kuwajibika. Kwa sababu sisi ni Memba wa Kamati lakini hatuna mamlaka mpaka tusukumiwe yale mamlaka na Mwenyekiti ama Naibu wake ndio niweze kuzungumza hapa lakini siwezi kuzungumza chochote kwa sababu saa hizi sina chochote cha kuweza kupeana na kuzungumza. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Well, noted Honourable Prischillah. I understand you are the Majority Chief Whip so when you tell us you cannot get hold of the Chairman and the Vice it is very unfortunate. I expected you to whip them to be here so since they are away and the Members have said that they do not have any response, we shall postpone this response to the next sitting. Yes Clerk?

RESPONSE TO STATEMENT TO STATEMENT BY CHAIRPERSON, EDUCATION AND DIGITAL
TRANSFORMATION HONOURABLE ALLEN KATANA ON LATE DISBURSEMENT OF BURSARIES IN THE
COUNTY

I can see Honourable Katana is not here, do we have anyone from the Education Committee? Yes, do you have a response?

Hon. Baimu: Thank you Mr. Speaker. Today's morning session after I attended, we had a discussion with Honourable Dee, Chairman Dee...

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Excuse me, who is that?

Hon. Baimu: No Honourable Hamisi I believe he had been given the mandate to follow the issue with the executive so your honor kindly, because he is not in, we discussed with him and he had agreed to make a follow up, but I believe because he has not come in maybe if we can be given more time so that we can bring the report to the House. I believe Mr. Ibrahim has arrived my able deputy for education, maybe he can elaborate more. Thank you.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Yes, well noted. Honourable Bomoa are you aware of the situation? Are you aware that you are supposed to respond to a statement? Do you have the response?

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Hon. Omondi: *[Inaudible]*.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Yes, Honourable Leila?

Hon. Nyache: Point of order Mr. Speaker.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Okay.

Hon. Nyache: We do not have Honourable *Bomoa* in this Assembly.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Do we have Honourable Ibrahim?

Hon. Nyache: Yes?

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Ok my apologies. Honourable Ibrahim please respond.

Hon. Nyache: Thank you Mr. Speaker.

[Silence]

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Is it a written response?

Hon. Omondi: Thank you Mr. Speaker Sir. I have just arrived *[Inaudible]* I could not make it earlier. So, Mr. Speaker I am aware that there was a statement request from Honourable Manuari which was made in this House on Wednesday of 29th March, 2023 on the 25th Sitting and in indeed the Committee engaged the department on the same issue and as I am speaking, I have a response...

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Pardon, did you respond?

Hon. Omondi: Mr. Speaker you asked a question, whether I'm aware of the statement and also whether I'm ready to give the response. I have just said that I am aware of the statement and I'm also ready, I have received the response so I am waiting for your permission so that I can read Mr. Speaker...

[Applause]

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): That is well advised. So, I'm giving you the green light now to respond. Please respond.

Hon. Omondi: Thank you Mr. Speaker for this opportunity. It is true we did engage the Department of Education on the issue that was the status of bursaries in the County. The department has already processed the application and the department is unable to pay the bursaries due to a requirement stated in a letter from the office of Controller of Budget...

[Interruption]

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Honourable Members, please take your seats. Just a minute. Now you can proceed.

Hon. Omondi: Mr. Speaker the Controller of Budget has instructed the County to amend the Mombasa County Educational Development Act, 2014 to show clearly the governance structure of the Elimu Fund and other changes that make the Act compliant with the Finance Management Act (PFM), 2012.

Mr. Speaker the plan was tabled at a cabinet meeting yesterday and upon approval we will begin the drafting process in collaboration with the County Assembly legal team and present them to the County Assembly to begin the amendment process. The Department of Education thanks us for our continuous support for transforming the lives of the children, youth people and generations to come. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): I believe that statement has been well understood by the Members and the Member who raised the question. Honourable Manuari, I believe you are satisfied with that?

Hon. Juma Manuari: Ndio Bwana Spika.

The Temporary Speaker (Hon. Abdirahman Abdulkadir): Okay, Yes Honourable Hamida? Are you up on a point of order or point of information?

Hon. Noor: I wanted clarification on the time frame; because as we are aware Mr. Speaker, we are almost going recess so we just need to know the time frame.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Do we have a time frame?

Hon. Omondi: Mr. Speaker time frame is not well stated but what we are saying is as soon as possible but the amendments will be brought to this House and we shall be able to start the process as soon as possible. Thank you, Mr. Speaker.

The Speaker (Hon. Abdulrahman Abdulkadir): Okay well noted as soon as possible, right. Okay yes, Clerk. Honourable Kibwana you have a statement to make please do so.

REQUEST FOR STATEMENT FROM CHAIRPERSON COMMITTEE ON EDUCATION AND DIGITAL TRANSFORMATION HONOURABLE ALLEN KATANA ON SCHOLARSHIP BY COUNTY GOVERNMENT OF MOMBASA

Hon. Kibwana Swaleh: Thank you Mr. Speaker, my statement goes to the Chairperson Education and Digital Transformation. Honourable Speaker, you are aware that in the social media there is a scholarship that is being undertaken by the County government and I saw the picture of the Governor and also the CEC of Education and I want just to know from the department if there is any arrangement in terms of partnership between the County government and the University of Sudan. Honourable Speaker, this is so because many people want to apply for this scholarship; they are interested and as an Assembly we do not have any idea of the arrangements in terms of who is sponsoring the scholarship, who is chipping in this scholarship, how is the arrangement and you are aware that these are foreign countries which as an Assembly we have a duty to know the arrangement. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Yes, Vice Chair if you have any response, you can respond now.

Hon. Omondi: Yes, thank you Mr. Speaker. On behalf of my able Chairman, this is a House of rules; indeed, I have heard the question but we expect that the Honourable Member will be able to get the response in the next sitting. Mr. Speaker, maybe you could give us that particular time so that we compare a very comprehensive response for him. Thank you.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Thank you. I think that is fair enough in the next sitting, thank you. Yes Clerk.

MOTION**ADJOURNMENT OF THE COUNTY ASSEMBLY IN ACCORDANCE WITH ASSEMBLY CALENDAR**

Yes, Honourable Athman Mwamwiri, Leader of Majority party please move the Motion?

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Mheshimiwa Spika kwa mujibu wa kanuni za kudumu sehemu ya 25 katika sehemu ndogo yake ya tatu, Bunge hili la Mombasa kulingana na ratiba yake ya shughuli za Bunge iliyopitishwa tarehe moja mwezi wa tatu mwaka elfu mbili ishirini na tatu ninaomba Bunge hili liweze kuahirisha vikao vyake siku hii ya leo na kuregelea vikao vyake vya kawaida tarehe mbili siku ya Jumanne mwezi wa tano siku tatu kabla ya siku yangu ya mazazi mwaka elfu mbili ishirini na tatu. Nimuombe Kiranja wa Wengi Bungeni kuunga mkono hoja hii.

The Chief Whip (Hon. Mumba): Nina *second*.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Pardon?

The Chief Whip (Hon. Mumba): Naunga mkono.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Okay, Honourable Members I now propose the question that the Motion by Honourable Athman Mwamwiri on adjournment of the County Assembly in accordance with Assembly calendar be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Yes, Honourable Athman Mwamwiri the Leader of Majority party, please make your contribution?

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Mheshimiwa Spika nishukuru kwa fursa hii na niwapongeze Waheshimiwa kwa kipindi ambacho tumekuwa katika shughuli zetu za Bunge kuwatumikia wananchi walio tupatia mamlaka. Mheshimiwa Spika, biashara nyingi tumeweza kuzifikisha katika Jumba hili, kuna mengi tumeweza kufanya na vile vile kwa mujibu wa shughuli zetu mojawapo ni uwakilishi na katika uwakilishi ni kupeleka ujumbe na vile vile kuregesha jibu lililopata la ujumbe uliopewa. Kwa muda ambao tumekuwa Mheshimiwa Spika ni muafaka kwetu sisi kuweza kurudi nyanjani kuregesha yale tuliyoweza kufikisha na kusukuma kwa niaba yao lakini pia kuweza kushirikiana nao ikiwa ratiba za utengenezaji wa bajeti ya 2022/2023 umeanza rasmi kuweza kuwa nao karibu kupata maoni yao na kupata vile wamependekeza ili tutakaporudi katika shughuli hizi tuweze kusukuma ajenda ya wananchi wetu kama ilivyo kusudiwa.

Vile vile Mheshimiwa Spika siku ya Ijumaa siku kuu za Pasaka zinaanza kwa ndugu zetu Wakristo; tunawatakia heri ya siku hizi na baada ya hapo itakuweko ni masiku kumi matakatifu ya mwezi mtukufu wa Ramadhani ambapo baadhi ya Waheshimiwa vile vile watakuwa katika safari ya kwenda umrah na kurudi kusherehekea Iddi na wananchi wao. Mheshimiwa Spika hii pia ni fursa kwa ndugu zangu Waislamu tuweze kukithirisha ibada; tuweze kujituma zaidi tumuelekee Mwenyezi Mungu. Tuna mengi ambayo tumepitia; baadhi ya watu husema kwamba wanasiasa hudanganya wananchi, si kweli lakini pia ni wakati wa kuomba toba. Mheshimiwa Spika na vile vile kujumuika na wananchi katika siku kuu za Iddi zitakazo kuwa baada ya juma linalo fuata na tukirudi hapa, turudi tukiwa tuko na nguvu mpya. Chambilecho aliyekuwa Raisi wa awamu ya nne ya Tanzania, Mheshimiwa Jakaya Mrisho Kikwete ya kwamba nguvu mpya, ari mpya na kasi mpya katika kuitumikia Gatuza letu la Mombasa.

Ahsante Mheshimiwa Spika na nitakie heri ya likizo kwa Waheshimiwa wote na vile vile watakao jivinjari kwa siku kuu hizi tuombe amani na usalama Mungu awalinde warudi salama na kwa ndugu zetu, ndugu zangu Waislamu wenzangu *InshaAllah* Mwenyezi Mungu atakabali ibada zetu *InshaAllah* na tutakapo rudi hapa, turudi tukiwa na mioyo mikunjufu, myeupe na mapenzi zaidi kutumikia wananchi wetu. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Thank you Majority Leader. Yes, Minority Leader please make your contribution to this Motion.

The Leader of Minority (Hon. Matsaki): Ahsante Mheshimiwa Spika. Mimi pia naunga mkono kwa ajili ni kweli huu ni mwezi mtukufu wa Ramadhani na pia Wakristo tuko na hii Pasaka inayokuja. Ni vyema pia Bunge hili Waheshimiwa wenza waweze kupumzika; japo kuwa tunaenda nyumbani bila lolote lakini Mwenyezi Mungu atatuwezesha na tutakuwa na heri lakini usumbufu uko mwingi sana pale mashinani. Kama vile Kiongozi wa Wengi alivyosema ni kweli lakini tufanyeje sasa, zaidi ya hapo wacha tu Mwenyezi Mungu atuwezeshe tunaporudi tena hapa tutamshukuru Mwenyezi Mungu. Ahsante Bwana Spika.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Yes, Honourable Patrick Mbelle?

Hon. Mbelle: Ahsante sana Mheshimiwa Spika kunipa nafasi hii; ingawaje umenipata kizungu wanasema *off guard* lakini pia vile vile ni kushukuru Waheshimiwa wenza kwa muda huu ambao tumekuwa pamoja wakati huu wa hatamu hii ya kalenda inasema *the phase we have just passed* na hii ambayo tunaingia, hii daraja ambayo kidogo ni ya kwenda kupumzika ni vyema twende tukampumzike. Kwa sababu mambo ni mengi alivyosema mwenzangu ni kwamba tunaenda nyumbani tukiwa vile tulivyo; na tunashukuru Mwenyezi Mungu kwa sababu tunaenda tukiwa na uhai. Zaidi ya yote kama tunavyojua mvua inakuja na ile ishatupata kutakuwa na maafa. Hatujui kutakuaje, lakini tunaomba Mungu ya kwamba kwa wakati huo tuende na turudi salama salmin. Kwa wale ambao wanaenda katika sherehe za Pasaka vile vile nawatakia kila la heri na Pasaka njema, kwa wenzangu Waislamu katika mfungo wa Ramadhan munapofunga muzidi kutuomba sote kama Mombasa ili jimbo letu lizidi kustawi na kunawiri. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Thank you for your contribution. Yes, Honourable Athman Mwamwiri please reply.

[Silence]
[Interruption]

Honourable Ibrahim, are you on a point of order?

Hon. Omondi: Mr. Speaker, I thought Members were contributing on a Motion. I think we have only had two Members who have contributed. I really want to contribute on this Motion if you will give me the permission before the Majority Leader.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Honourable Ibrahim, I decline to give you the opportunity let the Leader of Majority reply to this Motion, my apologies.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Natumai ya kwamba Mheshimiwa Ibrahim kusudio lake ni kuunga mkono likizo hii kwa hivyo kwa niaba yake tunaungama naye kuwa tunaenda likizo kwa nia safi.

Vile vile Mheshimiwa Spika niambie ndugu zangu ambao watasherehekea Pasaka; najua hawana nia ya kutualika kwa sababu wanajua tunafunga lakini hata sisi hatutawaalika! Mheshimiwa Spika, nishukuru Waheshimiwa kwa hali hii vile vile niombe Waheshimiwa ya kwamba kwa siku hizi ambazo tutakuwa likizo tumekuwa ndugu tusichoke kujuliana hali, kusalimiana kwa sababu tumekuwa familia ambapo kukiwa na dharura ya kusaidiana tuweze kusaidiana. Kwa hayo mengi ahsanteni sana na Mwenyezi Mungu atubariki. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdulrahman Abdulkadir): Thank you. Yes Clerk?

ADJOURNMENT

Honourable Members, may the peace and blessings of the Lord be with you. This House stands adjourned until Tuesday 2nd May, 2023 at 10:00a.m. Thank you.

The House rose at 2:59p.m.