



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 4th March, 2020.
The House met at 10:20a.m.

(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)

PRAYERS

The Speaker (Hon. Khatri): Hon. Members you may be seated.

(Silence)

Yes, Clerk next order please?

MOTION

Yes, Hon. Fadhili Mwalimu Deputy Speaker, please move the Motion.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Mr. Speaker. Mr. Speaker Sir, I now beg to give the following Motion:

THAT AWARE that unemployment in our County is mounting at an alarming rate among our youths;

FURTHER AWARE that most youths within the County remain unemployed and often times contractors, who are given work within the County do not engage the residents of Mombasa, but instead employ labourers from other Counties yet this kind of labour is locally available;

CONCERNED THAT residents are not considered in such labour works yet they continue to languish in poverty;

I therefore urge this Assembly to RESOLVE that:

The County government of Mombasa compels contractors to give job opportunities that do not require expertise to the youths within the area that the project is being undertaken.

Mr. Speaker and I ask Hon. Kitula to second.

Hon. Kitula: Thank you Mr. Speaker. I rise to second.

The Speaker (Hon. Khatri): Thank you Hon. Fadhili. Hon. Members I now propose the question that the Motion by Hon. Fadhili Mwalimu be considered by this Honourable House in the same terms as moved.

(Question proposed and agreed to)

Yes Hon. Fadhili the floor is open.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Mr. Speaker. Mr. Speaker as the Motion it is, it's well stated and simple and I rise to ask my fellow Hon. Members to come on my side and support this Motion. Mr. Speaker we understand the economy of Mombasa, how it's moving and the recent censuses shows that Kenya as the Country has got high percentage of youths and there are very many youths who are unemployed. Further to that there are some jobs which do not require any skills, but unfortunately Mr. Speaker, you will find the contractors giving these jobs... bringing labourers from other Counties.

Mr. Speaker we understand that we are one Country Kenya, one Nation but we have to consider our youths that reside in our County; there are many jobs that don't require skills, such as the laying of tarmac at Dongo Kundu but you will find that very many youths are coming from our neighbouring Counties, mostly come from Samburu if you follow up because I have followed many of these contractors, but it has all gone in vain in acquiring jobs for our youths.

Mr. Speaker am urging the County Executive, to at least have a way of which they will be having sort of data to know that if our youths are benefitting from the jobs that we have or we get in our Counties. Mr. Speaker long time before people use to queue in the labour offices, those were during the eighties' and there was a very good data that showed how people were benefitting from the jobs that are within. So Mr. Speaker am asking the Honourable House to come and support and the executives to have a way of data of how they will know whether our youths from our County are benefitting from these kind of jobs. Mr. Speaker with those few remarks am asking the Hon. Members to support this Motion. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Fadhili. Yes, Hon. Murfad Amur?

Hon. Murfad Amur: Thank you Mr. Speaker. Mr. Speaker I rise to support the Motion with a few words. Mr. Speaker, one; despite Mombasa being a cosmopolitan town the Constitution of Kenya is very clear, when opportunities arise a 70:30 ratio should be considered. Two, there should be a clause indicated when we are doing contracts with these contractors; Mr. Speaker it should be a must that a contractor should be compelled in the contract that if he is working in Port Reitz, he should be in consultation with the MCA for Port Reitz to give the labourers from his area these jobs.

Mr. Speaker there is a lot of (??) all going it's true but the fact remains that we are always saying that we are one Kenya yes its true we are one Kenya, but again the Constitution has given powers to the County governments, during employment of 70:30 ratio, do we follow the ratio Mr. Speaker?

So Mr. Speaker we should emphasize that whenever we are dealing with these contractors of these jobs there should be a clause, clearly stipulating in that contract that if he is working in Old Town then in consultation with area Member to provide labourers and pay the standard rate of labourers. This is because we do not just want to give them work with few shillings, but they be paid using the standard rate per day. This should be captured because somebody can employ you and give you 300 because you have nothing and earn nothing then you will rather go for that 300 but not with the standard rate of labour Mr. Speaker. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Murfad. Yes, Hon. Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika,. Mheshimiwa Spika nasimama nikiwa na akili zangu timamu kupinga hoja hii! Kwa sababu nitakazozitoa na wale wote Mheshimiwa Spika Mwenyezi Mungu katika sura ya 39 anamuambia Mtume aseme, 'Hivi wako sawa wenye kujua na wasiojua'. Swala hili ni swala la balagha halihitaji jibu, kwetu sisi Mheshimiwa Spika pia tujiulize katika swala hilo hilo balagha ambalo limeulizwa katika Sura (of Koran) ...na sisi tuko katika fungu lipi la wenye kujua na ama wasiojua?!

Mheshimiwa Spika kiongozi Naibu wa Spika wa Bunge hili hoja aliyoileta kimtazamo wangu ameashiria tu kudhalilisha vijana kwa kuwapatia kisingizio cha kwamba ni *skilled labourers*. Mheshimiwa Spika fauka ya haya angezikatia hoja iliyotangulia mbeleni ambayo hoja hii ilijengwa kutokana na sehemu ya 27 ya Public Procurement Act ya 2015, ambayo kwa hiyo sheria ile ilitambua uwepo wa vijana, kina mama, walemavu na wakapatiwa nafasi ya hizi kandarasi zenyewe.

Licha ya yeye ya kwamba kandarasi zipewe watu wa umri wake na zaidi ya umri wake ili vijana wadhalilishwe kupewa vibarua angekuja katika ile hoja tungeipigania ya kwamba vijana hawa kwa kutambulika kwao wapewe hizi kandarasi, ili hao vijana na kina mama na walemavu wajiweze kuwaajiri miongoni mwao wanaostahiki kuwemo vijana wenzao, kina mama wenzi wao na ndugu zetu wanaoishi na walemavu.

Mheshimiwa Spika, lakini kwa kuwakusanya vijana na kuwaweka fungu la *unskilled* ili waajiriwe katika vibarua hio ni hujma na kudhalilisha vijana na tayari hoja ilipita katika Bunge hili. Ingekuwa ni jukumu lake na jukumu la Bunge hili kuhakikisha vijana wamefaidika katika kandarasi zote zinazopita katika serikali yetu, achilia mbali serikali ya kitaifa, hii yetu ya Gatuzi je zile asilimia 30 zilizohifadhiwa kwa minajili ya kina mama, vijana na walemavu wanazipata?

Pili Mheshimiwa Spika katika swala mzima la uajiri kumbukumbu zangu, miongoni mwa hoja za awali la Bunge hili la pili ni hoja iliyoletwa na Mheshimiwa Hatimy, iliyozungumzia kwamba asilimia 70 ya ajira zote, katika taasisi zote na kandarasi zote zibakie kwa wenyeji wa maeneo. Mheshimiwa Spika hoja ile ilipita bila pingamizi katika Bunge hili.

Kwa hivyo hoja ipo yeye kuregelea hii wakati ile nyingine haijatekelezeka tunganza kwanza kuchunguza katika idara zetu katika serikali Gatuzi je hii hoja tuliyopitisha asilimia 70 imetekelezwa? Ndio tutoke katika kampuni za watu binafsi wanaofanya kandarasi na biashara zao binafsi ya kwamba na hao wanaiga kanuni njema na hulka njema ambayo Bunge ilipitisha na idara zake za serikali Gatuzi zinatekeleza. Mheshimiwa Spika hapo ingekuwa kuna ushahidi na wepesi wa kushurutisha yoyote mwingine kupata kazi ama hata kupata leseni ya kuhudumu katika Gatuzi letu ya kwamba ni lazima asikie kanuni hii na hii.

Mheshimiwa Spika tutakubaliana ama tutaafikiana ya kwamba changamoto kubwa imekuwa katika utekelezaji; sheria zipo, hoja zimepita katika Jumba hili na hata hii ni miongoni mwa ubadilifu wa makashablasha na makaratasi ya kwamba tumeleta hoja ijadiliwe.

Najua kwa huba ya wale watoto kwa nia safi itapitishwa ndio lakini Mheshimiwa Spika isije ikaungana na zile zengine zilizotangulia zisizokuwa na ubora zaidi ya hii lakini zimekosa nia njema na nia safi ya utekelezaji kuu wa hayo. Kwa hivyo Mheshimiwa Spika tungeregelea nyuma tukaangalia ile hoja iliyopita iliyokuwa imekita katika maswala ya Public Procurement Act na hoja ambayo ililetwa na Mheshimiwa Hatimy ya asilimia 70 ya kila nafasi ya ajira, iweze kupata wenyeji wa eneo lile, kama ni kata ndogo ya Mji wa Kale basi asilimia 70 iwe ni wenyeji wa kata ndogo ya Mji wa Kale. Ambayo kanuni zipo hoja zimepita Mheshimiwa Spika, lakini hili tukisema tunaenda tukatafutane na Wachina wanaojenga Dongo Kundu kwanza mkataba wao na serikali kuu kwa kutekeleza swala hili hatujui wameafikiana vipi.

Kwa hivyo Mheshimiwa Spika sisi kwenda kutafutana na Wachina kuuliza umeajiri nani, ametoka wapi itakuwa tunavuka mipaka wakati hapa kwetu chambilecho maandiko ya kwamba tunaangalia kibanzi kwa jicho la ndugu yetu, wakati sisi wenyewe kama serikali Gatuzi tuna boroti nzima katika macho yetu. Ahsante Mheshimiwa Spika naendelea kupinga hoja hii.

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri. Yes, Hon. Mwalimu Mgwisho?

Hon. Mwalimu Hamadi: Ahsante sana Mheshimiwa Spika kwa kunipatia nafasi hii ili na mimi niweze kuchangia hoja hii ambayo iko kwa ukamilifu sana. Nimesimama kuunga mkono hoja hii; Mheshimiwa Spika ni ukweli kwamba vijana wetu wengi wamekaa maskani hawana ajira na panapotokea kazi kama hizi ndogo ndogo ambazo hazihitaji elimu ya hali ya juu, ni kusukuma tu *wheelbarrow* ni umuhimu kweli kwamba vijana wetu waweze kuhusishwa na waweze kuchukuliwa katika kazi hii. Nikitoa mfano mmoja ambayo saa hii ile barabara ya Dongo Kundu ile ya *roundabout*, hasa yajengwa pale Shika Adabu lakini vibarua vingi sana ambao wako pale ni vijana ambao wametoka Kaunti jirani.

Kwa hivyo ni muhimu kabisa kwamba kuchukuliwe njia muhimu mwafaka ili tuone kwamba vijana wetu hasa wale ambao wako pale Shika Adabu wanaona ni balaa gani hii, kazi iko kwetu na sisi pia kibarua hatuchukuliwi ambapo ni kazi ambayo hata mtu wa kawaida anaweza kusukuma *wheelbarrow*, hata wewe unaweza kusukuma *wheelbarrow* muhimu kwamba wenyeji wako katika sehemu ile waweze kupata ile ajira japo kuwa ni kazi ile aweze kupata ile ajira.

Hivyo basi Mheshimiwa Spika nasimama hapa kuunga mkono hoja hii na naomba Wabunge wenzangu ili tuone vijana wetu wasiweze kukaa tu mitaani na kufanya mambo ambayo hayafai kwa ukosefu wa ajira. Ahsante sana Mheshimiwa Spika kwa kunipatia nafasi hii.

The Speaker (Hon. Khatri): Thank you Hon. Mwalimu. Yes, Hon. Charles Kitula.

Hon. Kitula: Ahsante Mheshimiwa Spika. Mimi nasimama kuunga mkono hoja hii na Mheshimiwa Spika lazima tuweze kusema ukweli kwamba nikipiga utafiti wangu katika nchi nzima sidhani kama kuna Bunge wameleta hoja kabambe za kunufaisha wananchi kama Kaunti ya Mombasa. Lakini changamoto kubwa inakuja katika maswala ya utekelezaji "*Implementation*" Mheshimiwa Spika; sisi tunapitisha hoja, Mheshimiwa Hatimy ameleta hoja nzuri, Mheshimiwa Milka ameleta hoja nzuri, Mheshimiwa *Civilizer* ameleta hoja nzuri na Waheshimiwa wengine wameleta hoja nzuri lakini tatizo liko katika utekelezaji. Mheshimiwa Spika hivi leo kila siku sisi tukileta hoja nzuri kama hizi Fadhili analeta kila siku hoja ni nzuri lakini tutaleta lini hoja nzuri wakati kesho na kesho kutwa hazitekelezwi?

Hilo ndilo sisi kama Bunge la Mombasa tunapata kama Waheshimiwa na kusema kweli sisi tunaonekana kana kwamba hatufanyi kazi, lakini wale wenye wanao tufanya sisi tusionekeane kwamba hatufanyi kazi zetu ni *executive* Mheshimiwa Spika. Leo hii hoja kama hii imepita Kamati ya *Implementation* ambayo Mheshimiwa mwenzangu Naibu Mheshimiwa Mwamwiri yuko hapa anastahili aweze kutilia mkazo leo hii anasema hoja fulani ilipitishwa haikutekelezwa wakati yeye ndio Naibu Mwenyekiti wa Kamati husika. Hivyo basi yeye mwenyewe anastahili pamoja na Kamati yake kuweza kutuambia zile hoja zilizopita zimefikia wapi hadi kufikia leo, kuliko aseme ilipita Mheshimiwa fulani na leo tunatewa hoja ingine, ile iliyoletwa ni ya asilimia 30 to 70, hii ni ya *unskilled labourers* ni hoja mbili tofauti kabisa.

Kwa hivyo Mheshimiwa Spika jambo lengine mimi kusema kweli ni kuhusu maswala ya hawa ma *contractors*; lau leo ingekuwa tunafahamishwa kwamba kila mwana kandarasi atakuja hapa kama ni Kamati fulani iseme katika Wodi ya Frere Town mwana kandarasi ni mtu fulani na kandarasi ni ya mtu fulani kwa hivyo, mimi kama MCA nitakuwa na ufahamu ya kwamba kuna kandarasi imepelekwa katika Wodi yangu na nitajitahidi kuweza kuhakikisha kwamba vijana au kina mama na walemavu wamepata vibarua husika wa katika kandarasi ile.

Hivyo basi langu kuu Mheshimiwa Spika ni upande wa *executive* na ningependa sana pia Mwakilishi wa vijana katika Bunge hili tumehojiana hapa ana hoja nzuri sana ametayarisha na lau hoja hii ikija katika Bunge hii itatusaidia sisi kama wawakilishi wa Kata ndogo mbali mbali kuweza kuonekana kwamba tunatekeleza wajibu wetu kulingana na Katiba ya nchi yetu. Kwa hivyo kwa hayo machache Mheshimiwa Spika nasimama na kuunga mkono hoja hii. Ahsante sana.

The Speaker (Hon. Khatri): Thank you Hon. Charles Kitula. Yes Hon. Junior Wambua, the Chief Whip.

The Chief Whip (Hon. Wambua): Ahsante Mheshimiwa Spika kwa nafasi hii. Mimi ningelitaka kuunga mkono hoja hii; hoja hii ni nzuri sana kwa sababu Bwana Spika matatizo yamekuwa mwana kandarasi wowote ambaye anapewa kazi wanakuja na watu wao kutoka sehemu ambazo wanataka na hiyo inasababisha wale vijana wapate tabu wakitaka hizo kazi ndogo ndogo.

Juzi ilikuwa kwangu mwana kandarasi alipata kazi, vijana wakaja na vijana wa kuchimba na vijana wangu walikataa na wakaleta fujo sana ikalazimisha mwana kandarasi akimbie anitafute alivyonitafuta nikamwambia vijana wangu awape kazi akawapa hiyo kazi vijana 30 hapo wakapata kazi karibu wiki moja. Hii itakuwa ikishapita na ikishatekelezwa itakuwa inatusaidia sisi kwa sababu hata katika serikali Gatuzi ya Mombasa sisi tunaona mwana kandarasi ameingia na hatujui ametoka wapi na wewe ndio umesukuma hiyo kitu mpaka ikapita lakini ikianza kufanywa ile kazi wewe hautajua.

Kwa hivyo watu wako hawatapata hiyo kazi; hiyo imekuwa jambo ambayo sio nzuri, hata tukienda kwa Wabunge wetu, Wabunge wetu pia wakileta wana kandarasi katika Wodi yako hakuna chochote ambacho waweza kuongezea. Tunasema hiyo ikipita lazima itekelezwe na kama haitatekelezwa tutailazimisha kule mitaani itekelezwe ili watu wetu waweze kupata kazi. Ahsante sana.

The Speaker (Hon. Khatri): Thank you Hon. Wambua. Yes Hon. Hamida Noor.

Hon. Noor: Thank you Mr. Speaker Sir. I do support the Motion that has come; I feel like we are sitting on a time bomb, if we do not engage these young people!

When these opportunities arise I think we are in deep trouble, this is a very good Motion and I think when these people come in and want to do work in our County we should have the young ones to be given the jobs. These people are unskilled on the verandas as we call them *mtaani* and right now we don't have any jobs in Mombasa as unemployment has gone high and we don't know what to do with the people. We are having gangsters coming up every now and then and I think we should implement this Motion and the rest of the Motions that we have brought in this House, I do support this Motion. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Hamida. Yes Hon. Juma Boy.

Hon. Amriya Juma: Thank you very much Mr. Speaker. I arise to support the Motion; it's very important for us to differentiate this Motion with the previous Motion and I have heard one of my colleagues asking about the Public Procurement Disposal Act, it says its 30 per cent of the tender should be given to special interest and then the Motion that was brought by Hon. Hatimy is that all companies, all private companies should accord residents 70 per cent of their employment opportunities and then when it comes to this Motion it is very clear that we want employment of unskilled labourers by our contractors who are on the ground.

So it's important we as Hon. Members learn to differentiate issues because in my view these are totally different issues. Mr. Speaker Sir when we are talking about the 30 per cent that we give to the youths is different from saying that a contractor on the ground should employ the locally unskilled labourers who are youths in that area, so you see in my view the mischief that this Motion is trying to achieve is that most contractors are very mischievous because they want cheap labour and they are going to negotiate with some desperate youths from one of our slums so they keep moving with them so that is availability of cheap labour. When they come to Kisauni they come with that cheap labour that they negotiated elsewhere or even in other Counties or even in Kilifi so they come there with cheap labour so they don't want to engage our youths maybe our youths are advanced and they would want for instance Ksh.700 but their negotiated prices with their.....(*Technical hitch*).

There is a saying, *hata mkizima stima tutaendela tu* the drunkards were saying... that is just a by the way, so what am saying...the issue that i was trying to put to the attention of Hon. Members is that this Motion is a bit different because we are saying apart from the Public Procurement Disposal Act; apart from the 70 per cent of all private companies residents to be employed, we are saying its mandatory that if am a contractor is in Mjambere he or she must take youths from Mjambere there is no question about it. I can't come with youths from Kwale or youths from elsewhere and make them work there, so i think this is a good Motion although it has its flip side, i think this is a good Motion and i stand to support it. So it's important we differentiate issues as Hon. Members because we are quick to judge others as dumb but also our intellectual quotient should also be examined because we have to look at issues and separate them. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Juma Amriya. Yes Hon Nyiro.

Hon. Nyiro: Thank you Mr. Speaker. Mr. Speaker, first and foremost I want to use the microphone that is available on my desk because of hygienic reasons. Mr. Speaker we are being subjected to very unhygienic conditions in this House; it is a very serious matter as most people in Mombasa if you have observed now are coughing including myself, so allowing us or forcing us to using one microphone all of us am not a doctor but it is not hygienic.

So whoever is concerned with the electronics in this House must up his game because we might contract Corona all of us in one go and you can just imagine Mr. Speaker all of us getting sick! So it's not a laughing matter and again our insurance is not out so you can imagine we are surviving by the Grace of God.

Mr. Speaker going to the Motion at hand indeed it is a good Motion and we have heard very many observations from the ground including from my village where a contractor was contracted by this County to do a road and of course he came with his boys from I don't know where! But again when I forced him to also take my boys what he was doing is he was giving the wages where he differentiated the local boys who were given Ksh.400 per day and the imported boys were given Ksh.800. The reason behind that is that the local boys were from the village and the others were imported so they needed fare to commute.

Mr. Speaker we must be clear in some issues and we must be able to know whoever is going to enforce this law when we pass it here because it is evident that we have been passing very good Motions in this House but we fail to understand the inefficiency of the department or the lack of the know-how on who should be following up on the Motions and implement them.

Mr. Speaker I sit in the Implementation Committee but the Committee is not to blame because the departments are employed just like we are here to debate in this House nobody is forcing us to come to this House. Mr. Speaker, so I don't see the essence as to why a whole executive office or department should be coerced by people to do what they were already employed to do.

Mr. Speaker so sometimes it is a matter of being responsible and fearing God and being true we are grown ups and one qualification for one to acquire employment is that we must be grown-ups so you can't be a grown up given a responsibility to do and then you don't do it you expect someone to come knock at your door every day to do it.

Mr. Speaker maybe we should mature as a House and am not saying that we are immature... what am saying we should progress in doing our things. We should be able to use our teeth and bite Mr. Speaker if we are sure this Motion passed and it was supposed to be implemented by a department and the department is not doing it. We have the power to summon them and ask hard questions from them but if you continue to question the Implementation Committee if the Motion was supposed to be implemented by the Health Committee, the Health Committee should be responsible and call that department ask them we passed this Motion why are you not implementing it as a matter of supplementing the work of the Implementation Committee if you want to get things done.

Mr. Speaker so this Motion is good but we need to be able to understand whoever is going to enforce this Motion... this law so that we can be sure when there is a gap we can be able to face them otherwise we will be creating employment to some rogue officials in this County because if we leave it open some people from the known departments might try to go there and solicit if you don't employ people from here something like that. So we should be very serious about this thing and it is a good Motion Mr. Speaker so I support it but again as a House we should up our game and take full responsibility of everything we pass here if we want it to be implemented. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Robert Nyiro. Yes Hon. Kizito Opeya?

Hon. Opeya: Thank you Mr. Speaker. I also rise to support the Motion brought by the Deputy Speaker Hon. Fadhili Mwalimu; I think it will create better employment for the locals especially in our Wards where we have been faced with several instances.

This is where you see a road being built in your Ward and people who are not even from there are the ones doing the work and it brings a lot of pressure to the MCAs because now the youths start questioning you. We also have to look at the issue that Hon. Kitula said about implementation, let's just not bring the Motion but we also make sure it is implemented so that it can benefit us. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Kizito. Yes Hon. Juma Renson.

Hon. Thoya: Thank you very much Mr. Speaker. I think this is a Motion that I deserve to support being the Chair of Labour and it happens that everyone of us is a resident of Mombasa where we understand the labour scenario...our situation in Mombasa County truly the labour market in Mombasa is in a disarray! It is going to be very well if at all we come with all strategies to ensure that we get alternative of what used to exist.

We understand that most of our youths used to get jobs in the port but that is now a thing in the past and therefore coming up with strategies like these we need to support it but maybe we need the time to put the County Labour Inspectors at hand because these contractors need to be inspected whether they are doing the right thing that was passed by the County Assembly of Mombasa.

I support the Motion and I think it should not end to the contractors that are being given contracts by the County, even those people that are being given by the national government they are bringing infrastructural development that is one, they should also bring employment benefits and it should be an issue of the national government alone that if an MCA is going questioning he is being said that he is crossing borders, there are no borders in Mombasa. What we understand development is for Mombasa and these development should include infrastructural development they should include employment benefits...all of them.

Sometimes you go to these contractors and you are told the MP is going to bring labour not the MCA; these are some of the things they need to be sorted out. I support it and it should not be tagged that this is national and this is County and sometimes being the Chairman of Labour you give me a very enormous task when you say *huku sio kwako*.

Labour in Mombasa should remain labour not only the Counties perspective we have got very small thing to look in the County but there are very small contractors that are brought here and some of them are so rogue... they don't understand this they are so many companies, so many shops here our youths are languishing they have just decided to go to drug hubs while we are here very comfortable seated. I support it and i support anything related to employment that comes in this House count me number one. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Renson. Yes Hon. Mohamed Mohamed?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Kwanza nataka kupongeza rafiki yangu Mheshimiwa Mwamwiri kwa *verse* ile alioleta ya kusema kuwa, *Hal-yastawi lladhina ya Alamumuna Walladhina la Ya Alamuna* ni kusema kuwa ni sisi wenyewe kujua kwa sababu mambo haya yalikuwa yatakikana jana yafanyike sisi ni kama ambao hatuna *interest* twaangalia mambo mengine lakini mambo muhimu hatuungalii...

(Applause)

Mheshimiwa Spika *Motion* kama hii ilikuwa kitambo tufanye *policy* ambayo ile *policy* itakuwa iko na hakuna haja ya kwenda kumkumbusha mtu kuwa kwenye kandarasi ikitoka kuna sheria hii...(Technical hitch). Kwa hivyo sisi kazi yetu ni kufanya sheria lakini sheria hazifuatwi, lau ingekuwa sisi tuna *concentrate* kikweli (*Off microphone/Power outage...*kwa mfano Mheshimiwa Spika nilileta ile *Motion* haswa kuna benki fulani tumepata kuzungumza nao kuwa twataka watoto wetu wakipewa kandarasi wakiwa na zile LPOs wakienda benki, benki ikubali kuwapatia mikopo wafanye kazi ili ipate kuwasaidia alafu Kaunti ilipe zile pesa, Kaunti italipa zile pesa mikopo waliotoa kisha ile faida mwenye kazi ataichukua. Kwa hivyo Mheshimiwa Spika nafikiri hii Mheshimiwa Fadhili ameleta ni kama kofia la ufahamu tufanyeni sera vitu kama hivi tuviweke tukitoka ndani ya hii Nyumba watu wajue kwamba tumefanya kitu.

Mheshimiwa Spika hii hoja ni nzuri na *Members* tukubaliane kwa sauti moja sote tupitishie jambo hili alafu twaomba *Implementation Committee* iwajibike ikiwa watu wanaweza kufuata mpaka Waziri wa Uchukuzi aweze kufanyiwa *impeachment* kwa nini hawa hawafuatwi kama walivyo fuatwa Idara ya Uchukuzi. Kwa hivyo ni sisi wenyewe kuwajibika na kusema tuifanyeni kazi vile inavyotakikana na tupate kuendelea mbele, ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Mohamed. Yes Hon. Nzai.

Hon. Nzai: Thank you Mr. Speaker. As far as i would wish to support this Motion it is also very bad to say that your dad is naked, thank you Mr. Speaker back to our Motion...

(*Interruption*)

The Speaker (Hon. Khatri): Yes Hon. Milka.

Hon. Ngare: The words the Honourable is using vernacular language if it's English he should use English if Kiswahili it should be Swahili.

The Speaker (Hon. Khatri): Thank you Hon. Milka. Yes continue Hon. Nzai?

Hon. Nzai: Thank you Mr. Speaker. I would like to inform this House i have never expressed myself in my vernacular language I always use English, the problem is that colleges or universities we attended are different...

(*Laughter*)

The Speaker (Hon. Khatri): Yes continue Hon. Nzai.

Hon. Nzai: Okay back to the Motion. The Motion I don't say it's a repeat of events but it's so sad because sometimes we are the ones to blame ourselves; actually the way I am sensing issues here is that they are four to five mandatory obligations which we are lacking. One, the implementation obligation lacks in this House, second, the enforcement obligation...

(*Interruption*)

The Speaker (Hon. Khatri): Yes Hon. Renson?

Hon. Thoya: I think I...

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Juma Renson Thoya are you on a point of information or?

Hon. Thoya: I want to inform you and then you are going to make your ruling on the same. I am worried by the kind of vocabulary he is bringing out and the coat he is wearing is very big if you are observing Mr. Speaker. I think Serjeant should look at that man; these are the things that you cannot open a dictionary and see, and please if he is going to use Kiswahili we will be very comfortable...*obligatory*, what are those things? He should not force himself to be seen that he went to school. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Juma Renson. Yes Hon. Nzai?

Hon. Nzai: Mr. Speaker...

(Interruption)

The Speaker (Hon. Khatri): Or were you trying to say obligations?

Hon. Nzai: Mr. Speaker you should protect me! You know sometimes we use the words building informatory and information...

(Laughter)

So they should understand they are so many ways of using the English words; you can use the normal words and at the same time you can build them to the heaven. So what is important... *(Technical hitch)(power outage)* Mr. Speaker Sir, so many good Motions have been passed in this House of which it is a credit to us but a pity on them is that no policy and regulations were made on them and for a Motion to work there must be a policy paper in place.

So I think it is high time being in our third year or rather two and a half years we go back to the cooperation between the upper House and the lower House. If this, Hon. Speaker; can be done then I believe everything can be on the same line.

Coming back to my Ward, you can never find such a thing happening because youths in my area are always alert and whenever a contractor comes in Kadzandani he or she cannot do that job. It is a must for him to give work to my youths and this has happened several times and I have been at war with them and things are now ok.

So my fellow Hon. Members it is up to you, pull up your socks so that any contractor, any contractor and I repeat who will come to your Wards and not dance to your tune then do not blame anybody, do not blame the Executive, blame yourself for failing to implement what is due for you. Thank you Mr. Speaker.

(Applause)

The Speaker (Hon. Khatri): Thank you very much Hon. Kombe Nzai. Yes Hon. Tobias Samba?

Hon. Samba: Thank you Hon. Speaker. Hon. Speaker just a plea on our side, all these microphones are dead! So maybe the technicians to take note on that we are more comfortable using these ones than using this moving microphone. Hon. Speaker I would wish to support the Motion and I also concur with most of the Members who have supported the Motion, but my issue is a Motion has to be implemented immediately after 60 days after it being tabled in the House and after it has passed.

The concern of Members and the concern of most of us is that we have got good Motions, we have good documents, we have good arguments but Mr. Speaker let us not blame the Implementation Committee let us blame ourselves. When the implementation Committee will start dealing with issues to do with the implementation it is us the same Members who will start compromising the situation. I am a Member of the said Committee and I think the last assignment that we did we tabled a Report before the House and nothing has been done so far.

Maybe it is a new year 2020 with new energy we will come with so many Motions here; your Motion is as good and we could have passed it as early as yesterday, but I am afraid just like the others that have here...Hon. Milka once had a very good Motion about installing litter bins all over. I do not even know where it stalled so I would request through your Chair and through your office Hon. Speaker that if maybe the Implementation Committee is not up to the task...,because we would wish through your Chair, through your leadership we leave a legacy behind so at least something should be done so that even if you can have an *Ad Hoc* Committee that is going to do a follow up on all the Motions that we have passed in this House that one would be a good thing to do.

Anyway I support the Motion and I am readily available, like Hon. Nzai has said that they will only act in your Ward when you are weak. I am readily available to offer any manpower or any backup or any support to support any Hon. Member who is facing difficulties I stand to support the Motion. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Samba. Yes Hon. Milka Moraa?

Hon. Ngare: Thank you Mr. Speaker. In regards to what Hon. Nyiro has already raised on hygiene matters I would request not to use that microphone because my anxiety is already rising, I think I am audible enough...

(Technical hitch)
(Background consultations)

The Speaker (Hon. Khatri): Yes but the Clerk has used it, so I do not know if you will be fine with it?

(Laughter)

Hon. Ngare: There is no sound..

The Speaker (Hon. Khatri): Sure? Ok.

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Hon. Ngare: Thank you. Mr. Speaker once again thank you so much for allowing me to make this moment so that I can contribute while I feel safe and comfortable. I rise to support the very good Motion that has been brought by our able Deputy Speaker of this House. Just to say in very few words I think it is an abuse to the locals when people get contracts and they import cheap labour, the unskilled labour from elsewhere to come and plant them at the site where the work is being done. Yes and I repeat it is an abuse to the locals who are yearning for those kind of jobs so they can make ends meet.

As Hon. Members we can look outside here we have youths who are languishing, who are so much in need of jobs, who really need anything to do to make a living, to put some bread on the table for their families or for themselves. So it is high time we continue to fight for this kind of Motions and in fact as Hon. Amriya said there is one that was brought by Hon. Hatimy, this one has now come up maybe it is high time we generate a Bill or a Policy so that we have all of them together that it is known that when a contractor is given this kind of work, when this kind of thing is happening this is the law that we should follow so that we do not have to do things like asking the youth to go fight for those jobs and cause some commotions at the construction site where the contractor is messing.

So we really need to work as Hon. Members, generate a Bill so that this is known that this is what is supposed to happen in order for the locals to gain and we cannot absolutely exonerate the Implementation Committee, it is not possible because the buck stops with them. If they are having some challenges on implementing the Motions that we passed, let them also ask for our support then together as a House we can see how to summon the Executive and also ensure that the Motions passed in this House are implemented.

It is an embarrassment for example people have been quoting me from former Chief Whip and the others that we passed the Motion, I brought a Motion here on Installation of litter bins, we do not have a single litter bin even within offices here, within the Assembly we do not have even a single litter bin where we can put the rubbish that is already needed to be disposed off! It is an embarrassment.

So we really need to follow up on Motions that we pass in this House so that they can be implemented then we shall be seen like we are working because if we pass and they are put in some kind of shelf and left there to rot and gather dust then we are doing nothing, we will leave no legacy in this House. With those few remarks Mr. Speaker thank you so much and I fully support, 100 per cent the Motion that is in this House this moment. Thank you so much.

The Speaker (Hon. Khatri): Thank you Hon. Milka. Hon. Members I just want to remind you that I have heard most Members complaining about the Executive whereby they do not implement these Motions. But the problem starts with you yourselves Members; the Standing Order is very clear... Hon. Amriya if you can read for us Standing Order 189 Committee on Implementation what are their mandates? Do these people even meet, have they looked at their mandates, do they even know what their mandate is? And it is very clear Standing Order 189.

(Hon. Amriya Juma read Standing Order No. 189)

Hon. Amriya Juma: (1) *There shall be a Select Committee to be known as the Committee on Implementation.* (2) *The Committee shall scrutinize the resolutions of the County Assembly (including adopted Committee Reports), petitions and the undertakings given by the County Executive Committee and examine;*

- (a) *Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and,*
- (b) *Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.*

The Speaker (Hon. Khatri): Yes and Sub Section 3? Please Hon. Amriya just finish with Sub Section 3, I think that is the most important.

Hon. Amriya Juma: Ok. 189 (3) of the Standing Order says that; (3) *The Committee may propose to the County Assembly, sanctions against any Member of the County Executive Committee who fails to report to the relevant Select Committee on Implementation status without justifiable reasons.*

The Speaker (Hon. Khatri): So has any of those Members done anything like that? Instead of us we are just complaining here. So Hon. Members, yes Hon. Renson?

Hon. Thoya: Mr. Speaker I wonder as a Member of the Implementation Committee, this is one of Committee that needs to track all the Motions passed here; but it is one of the Committees you need to call either to your office so that it can explain its situation. It is when we try to say this is not a Sectoral Committee with no training with nothing. These are some of the things that we are coming across here... you need, I think yesterday we had a meeting in your office and some of these things came out very clearly because for me to do my job, to do it very well I need to have the said necessary skills and that...

(Interruption)

The Speaker (Hon. Khatri): Hon. Renson Juma I do not understand what came out clearly yesterday, can you explain to this House what was the meeting about?

Hon. Thoya: Ok. I think...

(Interruption)

The Speaker (Hon. Khatri): You know Hon. Renson please do not put me in that corner. Yesterday you came to my office there was nothing which came clear; you came to my office and you said you want to go to Nairobi, so just make it clear please. There is nothing like anything which came out clearly, just give the microphone to Hon. Renson. You know Hon. Renson do not push the ball to my side there is nothing which came out clearly yesterday. Just explain to this House...

(Point of Information)

Hon. Athman Mwamwiri: Mheshimiwa taarifa.

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(*Interruption*)

The Speaker (Hon. Khatri): Yes, let the Hon. Member first finish to explain what was conspired yesterday in my office.

Hon. Thoya: Bwana Spika.

(*Laughter*)

Baadhi ya mikakati ambayo Kamati hii inajaribu ili kuweza kujua na kuwa na uzoefu wa kazi hii ni katika hatua ambayo tulikuja jana kwa sababu baadhi ya Kamati zinapelekwa katika mafundisho (*Technical hitch/ Off Microphone*) ni wajibu wetu kuja kwa ofisi yako kujaribu kueleza zile shida ambazo tunajaribu kupitia ikiwemo moja kutokuwa na uzoefu wa kutekeleza hizi kazi. Ahsante.

(*Interruption*)

The Speaker (Hon. Khatri): Thank you. Yes Hon. Mohamed what is your point of information?

Hon. Mohamed Hatimy: Mheshimiwa Spika tusifanye *Implementation* tukamfanya kondoo wa sikukuu hapa. Unajua hizi *Standing Orders* nyingi zimeowana Mheshimiwa Spika; nataka kwenda kuarifu Nyumba hii kuwa ni sisi kuwa hatuko (*Technical hitch/Off microphone*) lakini ukiangalia Kanuni ya Bunge 182 inatatua hii shida yetu ambayo Kanuni nambari 182 imeshikana na *Article* 163 ya Katiba iko wazi kabisa.

Kwa hivyo Mheshimiwa Spika kama ni kweli sisi twazungumza hapa kwa ukweli, twataka kufanya kazi Kanuni nambari 182 itekelezwe hii shida yote itatuondokea. Nafikiri hii itatuondokea kwa sababu ni lazima tupate *Report any Motion, any document* itakayotoka ndani ya hii Nyumba. Waziri anaehusika na jambo hili ni lazima alete Ripoti ndani ya hii Nyumba kusema kuwa amefanya, hakufanya na kwa nini hakufanya; na ukiangalia Kifungu cha 163 iko wazi kabisa Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Mohamed but again I think even Standing Order 189 it is even much clearer what is the job of the Committee on Implementation and that is why we are asking the Hon. Members. According to Hon. Juma Renson it is true they came to my office yesterday, complaining to me the difficulties which they were facing whereby with that Committee they have not understood their mandates, right Hon. Renson?

Hon. Thoya: Yes.

The Speaker (Hon. Khatri): And we are planning something so that they can be taken for a course whereby they will understand their mandates and maybe hopefully after that they will be no any other complaints from the Hon. Members, so Hon. Renson we are working on that. Yes Hon. Mwamwiri, Vice Chairman?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Nikiwa Naibu wa Mwenyekiti ambaye kama Mwenyekiti wangu hayuko ninageuka ninakuwa Kaimu wa Mwenyekiti Mheshimiwa Spika nimeona mzigo wa lawama ukilekezwa katika Kamati yetu husika lakini Mheshimiwa kwa uchache wa ufahamu na elimu tuliyonayo katika Kamati yetu husika tuliweza kuleta ripoti ya kila hoja iliopita katika Jumba hili na ilikuwa ni matarajio yetu ya kwamba Kamati husika ya zile hoja waseme ya kwamba ripoti tulioweka kutokana na idara tulizopewa taarifa zile zina uhaba ama haziko sahihi ili jukumu la ibara ya 89 sehemu ndogo ya tatu (3) tuweze kuitekeleza.

Hoja hii lazima ilikuwa ijengwe kutokana na Kamati husika yenyewe Mheshimiwa Spika, lakini baada ya sisi kuleta ripoti ya hoja zote kabla tufunge kwenda likizo ndefu mwaka jana hakuna Mheshimiwa yeyote wala Kamati yoyote ilionyesha kutoridhika na ripoti ile ama kuwa na dukuduku ya kwamba utekelezaji ule hauko sahihi.

Kwa hivyo Mheshimiwa Spika kwa Waheshimiwa kunyanyuka na kuelekeza kidole cha lawama kwa Kamati ya Utekelezaji kwa lugha sahihi nitasema huo ni unafiki wa hali ya juu. Kwa sababu wao wenyewe pia wanalo jukumu katika ibara 182 ya kuhakikisha Mawaziri husika wa Kamati hizi wanajua ndani ya siku 60 kwa Kamati zao sio kwa Kamati ya Utekelezaji Mheshimiwa Spika.

Hivyo basi sisi letu ni kuulizia baadae utekelezaji wa kijumuiya ama ufuatiliwa lakini ndani ya siku 60 ni jukumu la Waziri kujibu kwa Kamati yake husika; je hizi Kamati husika chini ya usimamizi ya Wenyeviti na Manaibu wao na wanachama wao washawahi pata taarifa yoyote kuhusiana na hoja ndani ya siku 60?. Kama bado Mheshimiwa Spika hawajapata lawama hili kubwa liko kwao zaidi kulikoni hata kwa Kamati utekelezaji.

Kwa hivyo Mheshimiwa Spika pamoja na Mheshimiwa wanachama wangu wa Kamati ya Utekelezaji amejaribu kuyaelekeza lakini pia tunajaribu kwa ule uchache wa ufahamu tulio nao kujitahidi kuhakikisha tunasukuma gurudumu hili mbele ili majukumu yatekelezeke tukisubiria ile juhudi ofisi yako inatekeleza kwa niaba ya Kamati yetu. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri. Yes Hon. Charles Kitula?

Hon. Kitula: Mheshimiwa Spika mimi ningependa kupitia Kiti chako kwa sababu nimeshangazwa sana na Mheshimiwa mwenzangu ambaye ni Mwenyekiti wa Kamati ya Leba kusema kwamba Kamati yao ya Utekelezaji hawafahamu majukumu yao na sasa hivi tuko ndani ya miaka miwili.

Mheshimiwa Spika lakini la kushangaza ukienda katika zile stakabadhi za kutia sahihi kwamba wamekaa kama kikao wameweka saina, kama Kamati wamekaa na kuweza kufanya mikutano. Tunaomba zile kumbukumbu za kila mkutano walikuwa wanakaa wanafanya nini? Kama hawajui majukumu yao wakati wametia sahihi katika kila kikao. Ahsante sana Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Charles Kitula. Yes Hon. Mwamwiri?

Hon. Athman Mwamwiri: Mheshimiwa Spika ahsante. Kumuweka sawa Mheshimiwa Kitula ni kweli Kamati tunakaa tunatekeleza yale tunayoyafahamu kwa uchache wa elimu tuliyonayo na ndani yake yamezibuka baadhi ya upungufu ambayo imepelekea miongoni mwa lawama kuelekezwa kwetu.

Ndio maana ya Mheshimiwa na Kamati jana kuja katika ofisi yako kutaka kujegwa uwezo zaidi; lakini majukumu tunayatekeleza kukaa tunakaa na kumbukumbu za Bunge hili zitathibitisha kwamba tushawahi leta ripoti inayohusiana na utekelezaji wa hoja zote ambalo hilo ni moja wapo ya jukumu ya Kamati yetu Mheshimiwa Spika.

Kwa hivyo Mheshimiwa Spika hatukuwa asilimia 100 kamili kiufasaha na usawa wa utekelezaji lakini angalau kwenye 70 tunacheza, hivyo tukipata maelekezo zaidi chini ya matayarisho ya ofisi yako tuna imani majukumu yetu na uwajibikaji wetu utafika asilimia 100 na Mungu akituwezesha. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Yes Hon. Amriya?

Hon. Amriya Juma: I want to give clarification. Mr. Speaker you noticed that this Standing Order was a model law from the National Assembly and the Article 153 (4)(b) talks of the national. So Mr. Speaker this is something that we need to talk; 152, one when we are referring to Article, I think the Secretariat can capture this and yourself, when you are referring to Article 153 (4) (b) I understand because this is...

(Interruption)

The Speaker (Hon. Khatri): One fifty...?

Hon. Amriya Juma: One eighty two (182) of the Standing Order makes reference with Article 153 (4)(b) of the Constitution.

The Speaker (Hon. Khatri): Yes?

Hon. Amriya Juma: And...

(Interruption)

The Speaker (Hon. Khatri): It is clear Article 153 (4)(b), *Cabinet Secretaries shall provide Parliament with full and regular reports concerning matters under their control.*

Hon. Amriya Juma: Yes it refers to the Cabinet in the Senate. Mr. Speaker this is the County Assembly so we need to take note and we refer it to my opinion to Article 195 that gives the County Assembly powers so this is in line with national, it talks about the national government and the Parliament and the Senate.

Mr. Speaker so this is in *vis a vis* the Cabinet Secretaries of the national level; however, having said that because we adopted these Standing Orders I would like to say that pursuant to your earlier directions the Committee on implementation...the buck stops at the Committee on Implementation.

Why I am I saying that? Because 182 is very specific in its legislative work, it says that *60 days after the adoption of the a resolution the CEC will report back to the Committee* just that but on the sanctions the only institution that or the only Committee that has power to sanction, that has been given powers to sanction is the Committee on Implementation.

So the legislative part is 182, that 60 days the Cabinet Secretaries need to bring a report back to the Committee... to the different sectoral Committee but if they fail to do so the Committee on Implementation now has powers to sanction and bring a report. So my friend here Hon. Mwamwiri cannot skip the gun; you can't say that 182 alone is sufficient, here the literature of the Standing order is clear on the golden rule interpretation that 189 is specifically that the only Committee with the mandate of sanctioning is the Committee on Implementation so he can't pass the buck, liaise with all the sectorial Committees, thank you.

The Speaker (Hon. Khatri): Thank you Hon. Members. I think we are getting out of the Motion now, so Hon. Members...

(Interruption)

Yes, but Hon. Mwamwiri you are the Vice Chair. So Hon. Mwamwiri what is your point of information?

Hon. Athman Mwamwiri: Mheshimiwa Spika ndugu yangu Wakili Mheshimiwa Amriya katika 82 imejukumisha Waziri kwa Kamati husika halafu ikapeana 89 ya kwamba Kamati ya Utekelezaji ichukue hatua lakini sisi hatuna uwezo wa kuchukua hatua pasi na kupata taarifa ile kutoka kwa Kamati husika. Swali ni je yeye kama Mwenyekiti na wale Wenyeviti wengine wa Kamati husika ndani ya siku 60 kwa wao kutopata taarifa hizi, je washawahi leta hoja hii ama kuitaaruifu Kamati ya Utekelezaji juu ya changamoto hiyo ili sisi twende katika 89(3) Mheshimiwa Spika? Kwa hivyo sisi hatukimbii lakini na yeye asitufukuze mbio tunazo.

The Speaker (Hon. Khatri): But Hon. Mwamwiri have you read 189 (2)? *The Committee shall scrutinize the resolution of the County Assembly; including adopted Committee reports, Petition undertaking given by the County Executive Committee and examine; (a) Whether or not such decision undertaking have been implemented...* can you read that 189 properly?

Hon. Athman Mwamwiri: Ndio Mheshimiwa Spika iko wazi kwa weupe na weusi na ndiposa kabla tufunge Bunge hili mwaka jana tulileta taarifa kama Kamati ya kwamba utekelezaji wa kila hoja kama Kamati sisi tumeona imefikilia hapa kutokana na yale tulioyauliza. Kwa hivyo palipo uhaba ama kutokuwa na uhalisia wa jambo lile ilikuwa ni Kamati iseme ni kweli hoja hii inatuhusu na sisi tunajua imefika asilimia 40 ripoti yenu mlioleta inasema ni asilimia 80. Ndio hili la ziada la sehemu ndogo ya tatu tuweze kulitekeleza na sisi tulileta ripoti ya hoja zote zilizopita katika Bunge hili na Waheshimiwa wote kwa mioyo mikunjufu waliridhia na wakanyamazia swali ni je sisi kama kamati pengine hatujui majukumu ama...

(Interruption)

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri. Hon. Mwamwiri I think you are contradicting yourself; it is very clear you have always been complaining in this House that whenever you write to the executive they never reply to you, you don't know, you cannot truck the Motion and this Standing orders are very clear 189 (3) gives you all the powers but you as the Committee you don't make use of those powers.

It is very clear *the Committee may propose to the County Assembly sanctions against any Member of the County Executive Committee who fails to report to the relevant select Committee on Implementation status without justifiable reasons*. So Hon. Mwamwiri not unless maybe you have other reasons you have this Standing Order and it is very clear, so go through that Standing order and you will see where your powers are as a Committee and make use of those powers because again Implementation Committee covers all the Committees.

(Applause)

Yes Hon. Fadhili you may reply to the Motion?

(Loud consultations)

Yes Hon. Fadhili please reply?

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Mr. Speaker for giving me this time to respond Mr. Speaker I take this time to thank the all Hon. Members for their input in this motion Mr. Speaker plus the self-proclaim Hon the king of Makashablasha Mr. Speaker...

(Laughter)

Mr. Speaker I think it is high time for the executive wing to have a Liaison officer for him to liaise with the Committee on Implementation to atleast spearhead the implementation or communicate to the office of the County Secretary on the Motions that we passed in this Honourable House. Indeed Mr. Speaker we are passing good Motions and we have heard from the Hon. Members that some are still to be implemented and the department or the executive concerned as per our Standing orders have 60 days to reply to this Honourable House as to why such Motions are being not implemented or they have been implemented.

Mr. Speaker it is now upon the Committee on Implementation through your Chair you have enlightened the Committee to at least know their mandates. From the meeting that transpired yesterday in your office it was clear enough in this Honourable House with the self-proclaimed king of *Makashablasha* that he wasn't aware of Standing order 189, but from today I am sure he is aware and I say thanks to the Honourable House and Hon. Members.

I will also like the Committee on Labour to look forward in preparing a policy on such and very many policies that are pending in this Honourable House so that the residents of Mombasa can benefit from whatever we are transacting in this Honourable House. Thank you Mr. Speaker.

The Speaker (Hon. Speaker): Thank you very much Hon. Fadhili. Hon. Members I now put a question that the Motion by Hon. Fadhili Mwalimu be adopted by this Honourable House in the same terms as moved?

(Question put and agreed to)

Yes, Clerk next of Order?

MOTION

(Loud consultations)

The Deputy Speaker (Hon. Fadhili Mwalimu): Mr. Speaker Sir I seek leave from this Honourable House to at least amend or add some input in my Motion because I have talked to Hon. Members and there are some inputs that we need to add to this Motion. So Mr. Speaker I am asking or seeking leave from this Honourable House to allow that the Motion be returned back to the House Business Committee and be allotted another time. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): So Hon. Fadhili you are withdrawing the Motion under Standing Order 48?

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Mr. Speaker, under Standing Order 48 on a Motion withdrawn that may be moved again.

The Speaker (Hon. Khatri): There was an amendment with another amendment so...

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes I am seeking leave to amend and the Chair Speaker will allot time as to when we are going to debate this Motion.

The Speaker (Hon. Khatri): Thank you Hon. Fadhili permission is granted, you can withdraw the Motion. It is the same thing to withdraw so as to amend because if you look at Standing order 48 (1); *A notice of Motion may be withdrawn by the Member who gave the notice, but notice of the same Motion may be given again either by the same or by any other Member...*

(Loud consultations)

So the Motion is withdrawn and it should be brought back to the House Business where the time will be allotted to be back in the House. Yes Clerk next Order?

ADJOURNMENT

Hon. Members this House stands adjourned until Wednesday 4th March, 2020 at 2:30p.m.

The House rose at 11:43a.m.