



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 15th November, 2022
Third Assembly - Tenth Sitting

[The County Assembly met at 2:30p.m. at the County Assembly Buildings]

[The Deputy Speaker (Hon. Fadhili Mwalimu Makarani) in the Chair]

PRAYERS

The Deputy Speaker (Hon. Fadhili Makarani): Have your seats Honourable Members.

Yes, Clerk?

STATEMENT

[Interruption]

Yes, Honourable Manuari?

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Katika swala la *Statement* na kutokana na kanuni za Bunge namba 80; na kama unavyojua sisi ni watu wa kuvuka kutoka feri na kila siku huwa tuko pamoja kama ma MCAs wa kutoka feri ila swala lilitokea leo asubuhi Waheshimiwa watano kudhalilishwa katika kivuko cha feri na askari wa Coast Guard pamoja na wafanyikazi wa feri. Katika harakati za Waheshimiwa kuwania kuja katika Bunge tukadhalilishwa kiasi cha kuwa kulikuwa na mkorogano wa sintofahamu baina ya Waheshimiwa, wafanyikazi wa feri na askari wa Coast Guard. Mheshimiwa Spika, ningeomba kwa niaba ya Bunge hili na Waheshimiwa wengine ambao watatumia kivuko cha feri, tuwaite wahusika wa Kenya Ferry na wahusika wakuu wa Coast Guard ili tulizungumze hili swala kwa niaba ya Waheshimiwa wengine. Ikiwa sisi ambao wametuzowea wametudhalilisha kiasi kile, inamaanisha mwengine pia atakapo tumia kivuko kile na kujieleza kuwa mimi ni Mheshimiwa fulani, heshima yake itadunishwa. Hivi sasa Mheshimiwa Spika, sisi kama Waheshimiwa kutoka ng'ambo ya pili kwa sababu ndio njia yetu tutaitumia kila siku tutakuwa ni wenye kudhalilishwa, wenye kuonyeshwa unyonge kiasi cha kuwa tutakuwa hatuna thamani na hatukutaka kuleta kelele ila tulijua tuna njia muafaka ya kueleza ujumbe wetu. Kwa hivyo kupitia kwako Mheshimiwa Spika, taasisi husika tuiiteni tukae nayo chini tuwaeleze kuwa kuna Waheshimiwa kama wale Waheshimiwa wengine Wabunge kwa sababu hata Mbunge akipita huheshimiwa na akapishwa mbele lakini sisi tulijieleza kama Waheshimiwa lakini tumedhalilishwa vibaya sana. Ahsante Mheshimiwa.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Manuari, I will direct your Statement to the Committee on Powers and Privilege to take charge and I will notify the Speaker to what transpired today so the Committee will sit and look for a day to call the named persons so that they appear before the Committee. And a Committee has powers and the Committee will act accordingly as per our Standing Orders and as per the Constitution of Kenya and as per the County Government Act. Yes Clerk?

MOTION

ACCESSIBILITY OF BUILDINGS BY PEOPLE LIVING WITH DISABILITIES IN MOMBASA COUNTY

Yes, Honourable Frankline Makanga?

Hon. Makanga: Mr. Speaker Sir, I beg to move the following Motion;

THAT AWARE that Section 21 of the Persons with Disabilities Act of 2003, persons with disabilities are entitled to barrier free and disability friendly environment to enable them to have access to buildings roads and other social amenities and assistive devices and other equipment to provide their mobility;

FURTHER aware that disability is the experience of any condition that makes it more difficult for a person to do certain activities or have equitable access within a given society;

CONGNIZANT THAT it is vital to provide people with disabilities with basic facilities to live independent lives on an equal basis with others;

CONCERNED THAT although there are laws that require buildings to be accessible to people living with disabilities (PWDs) they have been ignored; majority of our buildings including but not limited to County Assembly building, County government offices schools, hospitals, supermarket, and banks. This has made it very difficult for PWDs to access essential services in both public and private premises;

I, therefore urge this Assembly to resolve that;

1. To have adequate provision of space into doorways and within rooms to allow for wheelchair dimensions and turning circle;
2. To reserve parking spaces for PWDs;
3. To be designed and constructed in such manner that the facility or part of the facility is accessible to and usable by persons with disabilities including wheelchair ramps for steps and mobility;
4. With more than one floors to consider installing an elevator that serves for transport of persons or goods;

I, ask my brother and my friend Honourable Solomon Ngugi to second the Motion.

The Deputy Speaker (Hon. Fadhili Makarani): Yes, Honourable Solomon Ngugi?

Hon. Ngugi: I, Solomon Ngugi Wainaina second the Motion.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Members. I propose a question that the Motion on accessibility of buildings by people living with disabilities in Mombasa County be debated in this House?

[Question proposed and agreed to]

Yes, Honourable Makanga?

Hon. Makanga: Thank you Honourable Speaker and also, I thank the Honourable Members who are in this House for allowing this Motion to be tabled into this Honourable House. Mr. Speaker Sir, we are living in Mombasa and I believe we come from a community where we are living with the people who are in our ministry who in one way or the other, they have challenges in reference into definition of disabilities. Honourable Speaker, we are having Members in our society who seek services from offices; both the government and private offices but they are not able to access those buildings because of their disabilities. Honourable Speaker, I have witnessed several cases including in this building, where some of our staff who by circumstances Honourable Speaker have challenges because disability we were all created by God and nobody chooses to have a challenge and these challenges can come in any way; it can come because one has been involved in a road traffic accident, it can come because of a chronic medical condition and it can get anybody, anytime life can change and unless we make this building being accessible to the people, not only the staff and Members of the County Assembly but even the public that they may able even to come and attend some of these proceedings that we are making as a House.

Honourable Speaker, the challenges of living with a disability or having a disability is discouraging, painful and many people with disability are struggling even to live a life that most of us are living. So Honourable Speaker, let us alleviate the suffering that our people go through that we may ease the burden of them accessing our building. Honourable Speaker, when you move around town and the buildings that we are having in towns; including Bima Towers which host some of the many offices of this Honourable government you cannot access if you have a disability because even the lifts or the elevators are not working. So, it is my prayer and it is my plea that this Honourable House will find it fit so that we may ease the burden that our people are going through other than making ramps Honourable Speaker. We have people who also have challenges of vision that is still a disability and we have to make this building accessible to them so other than making ramps and put elevators we should also be able to have markers or directions that will guide them to know how to follow their path even when they come Honourable Speaker, it is my humble request. Honourable Speaker, it is my humble prayer and a request to this Honourable House that as we consider this Motion, let us consider how we are going to make our great people living with disabilities feeling comfortable and happier residents of this Honourable and beautiful County of Mombasa. Thank you, Honourable Speaker.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you Honourable Makanga. Yes Honourable Hamida?

Hon. Noor: Thank you Honourable Speaker, I do support the Motion. I do support the Motion because everything that my fellow Member has anchored in his Motion is true, we do need friendly places for the disabled because if one of the Persons with Disabilities' (PWD) disabled comes with a wheelchair Mr. Speaker, he will not have access to our building in this Assembly right now because we are not People Living with Disabilities (PWDs) friendly. Mr. Speaker we even need signs for them so that when they do come into the building, there are some PWDs who need the signs for the deaf people that they can see the signs and they can go to the office where is needed. Right now, in the Youth Department Mr. Speaker, somebody with a wheel chair cannot reach the top offices because it is not (PWDs) friendly.

So, with this Motion I do urge my fellow Members to pass the Motion so that our fellow (PWDs) people can get their rightful rights within the government and outside the government buildings. Thank you very much.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes, Honourable Ibrahim Omondi?

Hon. Omondi: Mr. Speaker Sir, thank you for the opportunity that you have given me. Mr. Speaker, I want to stand and support this particular Motion brought forward by the Honourable Member for Chaani and Mr. Speaker am going to support this Motion with reasons. Mr. Speaker, I have been observing in our environment some of the terms that are referred to People Living with Disabilities and I find it humiliating. Mr. Speaker, I want to refer to one of our Honourable Members in this House which we used to have some games and accidentally one of the Honourable Members who was our goalkeeper and a very good one but accidentally that was the first day that we were playing with our opponents since we joined this Assembly that was in the last Assembly. The Honourable Member got an accident when he was actually in the goal Mr. Speaker and what came after that the terms that were being referred to him as ‘*kiwete*’, ‘*kilema*’. Mr. Speaker, those terms are not favourable, they demean because the people living with disabilities are people who have capabilities of just doing anything that any other person can do.

Mr. Speaker, Section 22 (1) of the People Living with Disabilities Act, 2003 also provides that the proprietor or the owner of the building should adapt the building and ensure that the building meets the requirements which can be actually be accessible by the people living with disabilities. Mr. Speaker, section 24 of the People Living with The Disabilities Act, 2003 also mandates the National Council for Persons that are Living with Disabilities that is the (NCPWD) to serve with an adjustments order upon the owner of the premises for the provider of the services or a need. Mr. Speaker, the County government of Mombasa should undertake steps to enforce the laws and the regulations on accessibilities and mobility, not only accessibilities. I want to emphasize mobility also should be looked into which is enforced in Section 21 of the People Living with The Disabilities Act, 2003. Mr. Speaker, the right of people living with disabilities have a further which being constitutionally recognized under the rights of people living with disabilities. United Nations Convention of Rights of People with Disabilities, that is (UNCPWD) also minimizes the barriers to equalization of opportunities Mr. Speaker in an aspect of social, cultural, economic and political lives for People Living with the Disabilities. Finally, Mr. Speaker Article 54 of the Constitution of Kenya, 2010 provides in *inter alia* that is a person with disability should be treated with dignity and respect it deserves. Mr. Speaker, I support. Thank you.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes, Honourable Hamid?

Hon. Mohammed Hamid: Ahsante sana Mheshimiwa Spika. Mimi napenda kuunga mkono Mswada ulioletwa na Mheshimiwa mwenzangu; ningelipenda kusisitiza mambo mawili tu katika mjadala huu... moja sisi kama Waheshimiwa na sisi kama wawakilishi wa wananchi wa Mombasa, nafikiria ni jambo muhimu hili eneo letu la Bunge tuanze kuonyesha kwa mifano kabla hatujaanza kuwekea sheria watu wengine nje hilo ni jambo la kwanza. Rai yangu ya pili ambayo ningelipenda pia tuiangalie vizuri na naona wenzangu wote hatujaiangalia; serikali ya Kaunti iliyopita ilipitisha Mswada na wakaweza kutengeneza barabara zote ndani ya Mombasa, ndani ya *Central Business District* (CBD) lakini hii leo tunakuta njia ya wale ambao ni walemavu wa kutembea na viti vyao vya magurudumu kwenye sehemu hizi. Ni sehemu hizi hizi ambazo wachuuzi wanaweka biashara chini na inakuwa ngumu hawa watu kupata njia yao.

Kwa hivyo, ningeomba mambo haya mawili tuyazingatie kama Nyumba, ya kwanza ni hilo nililozungumza. Habari sisi wenyewe tuwe ni mfano na pili tuangalie maswala ya hizi *pavements* zote ndani ya Mombasa ni namna gani hawa wachuuzi wataondolewa ili *mobility* iwe rahisi kwa hawa watu ambao tunajaribu kuzungumzia hizi sheria zao. Ahsante.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes, Honourable Maryam?

Hon. Baimu: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi. Mimi nauunga mkono mjadala huu kuhusu walemavu kwamba waweze kupewa nafasi ya kuweza ku *access buildings*. Katika kuongezea hio ningeomba; kando ya kwamba mambo ya *accessibility*, ama kuweza kupata hizo huduma kwa manyumba, nafikiria walemavu ni watu ambao katika hii nchi yetu maisha yako duni sana. Kwa hivyo ningeomba, maana yake kulingana na vile ninavyotambua walemavu wale wenye *severe disability* wao peke yao ndio wanapata pesa kutoka kwa serikali nafikiri kama sijakosea ni elfu tatu ama nne kwa mwezi. Kwa hivyo ningeomba hii Nyumba, tafadhali tuangalie hili jambo la hawa walemavu maana yake mlemavu ni mlemavu, si kwamba ana *severe disability* ndio aweze kupata kitu ambaye ana ulemavu mwengine hawezi kupata kitu. Ahsante.

The Deputy Speaker (Hon. Fadhili Makarani): Thank you. Yes, Honourable Milka?

Hon. Ngare: Thank you Mr. Speaker for the chance to also contribute to the Motion and I will begin by thanking the Honourable Member, Honourable Makanga for bringing this Motion to this House seconded by the Honourable Member representing people living with disability or people differently enabled. I am very sure that we finally are going to pass this Motion because it is a very important one. Persons with disabilities should be treated with dignity and respect and referred to as people who should also enjoy the rights as contained in our 2010 Constitution under the Bill of Rights just as Honourable Ibrahim Oyugi has elaborated very well. I do not need to repeat, they should be treated with dignity and the call for them to be given facilities in our County so that they can access as they strive to access services that we easily attain because we are differently enabled also. They should be able to get the services by accessing the areas easily, so I am also seconding the Motion that the PWDs should be given an enabling environment to carry out their activities without any hinderance.

[The Deputy Speaker (Hon. Fadhili Makarani) exits the Chair]

[The Temporary Speaker (Hon. Amriya Juma) assumed the Chair]

As I said earlier, I know this Motion is going to pass; however, we have a trend of passing Motions Madam Speaker in this House and they go gathering dust at the Executive offices. This is an appeal that should not go gathering dust in the cabinet and wherever they will be kept. It is a Motion that is so important, it is a Motion that should be addressed immediately, it is an issue that should be dealt with immediately so that the PWDs are able to access the services. I remember in this very House we passed a Motion on availing breastfeeding areas; I know you were one of those Madam Speaker; you are one of those who tackled that and another Honourable Member plus myself and we have never followed up to know what happened to that Motion which was passed in this Honourable House, we should be having those areas for the breastfeeding mothers. So, the same thing should not happen to this Motion, that it is so important and emotive

...to the PWDs so my humble request is as we pass this Motion, it should be followed up very closely so that it is implemented. With that, I support the Motion and I thank the Honourable Member who brought it up. Thank you.

The Temporary Speaker (Hon. Amriya Juma): Thank you. Yes, Honourable Juma Manuari what is it?

Hon. Juma Manuari: Ahsante Bi. Spika. Kwanza niunge mkono swala hili la watu wa uwezo maalum ulioletwa na ndugu yangu Mheshimiwa Makanga na ukawa *seconded* na ndugu yangu Mheshimiwa wa kitengo chao wa uwezo maalumu Bwana Ngugi, rafiki yangu. Mimi Bi. Spika, kwanza nginganza kuchangia katika Majengo yaliojengwa kupitia nembo ama jina la Serikali ya Kaunti, kwa sababu pale kwangu mkabala na mimi katika eneo langu la wadi, kuna nyumba inaitwa Likoni B. Hii nyumba mimi mwenyewe juzi nilipanda nikiwa na Naibu wa Gavana, kitengo cha wenye uwezo maalum wakizingatiwa, wakati lile ni Jumba na ni Jumba la kiserikali na ni Jumba ambalo litahudumikia wananchi. Inamaanisha katika hilo Jumba tayari wenye uwezo maalum wamewekwa kando. Kwa hivyo kupitia swala hili Bi. Spika, mimi kama kiongozi ningeliomba kwanza kabla hatujafika kwa mwananchi kumwambia, nyumba yake tuigeuze hata kama ni ghorofa moja atuweke sehemu ya watu wenye uwezo maalum kwanza sisi wenyewe tuishi kwa mifano. Bi Spika, la pili ni katika maswala ya vyoo vya umma ambavyo bado vinasimamiwa na serikali ya Kaunti ya Mombasa. Ama kweli tukiingia katika vile vyoo, hawa ndugu zetu wenye uwezo maalum, huwezi ona na kama kutakuwa kumewekwa choo cha kukaa basi kwa mazingira ama maandari yaliomo kule ndani, hata huyo kiwete... pole mwenye uwezo maalum atashindwa pia kukikelia. Bi. Spika naunga mkono Mswada huu. Ahsante.

[Laughter]

The Temporary Speaker (Hon. Amriya Juma): Naam Mheshimiwa Fatma?

Hon. Fatma Swaleh: Ahsante sana Bi. Spika kwa kuweza kunipa fursa hii. Kwanza kabisa, namshukuru Mwenyezi Mungu Muumba wa mbingu na ardhi, pasi na kizuizi kwa kuwa ndani ya hili Jumba siku ya leo. Nimesimama hapa Bi. Spika kama Mheshimiwa aliyechaguliwa na kura nyingi sana za walemavu, nafikiri katika hili Bunge hakuna mtu mwengine isipokuwa mimi. Nawapa kongole walemavu...

[Applause]

Nawapa kongole Wodi yangu. Pili Bi. Spika, namshukuru kaka yangu Mheshimiwa Madialo, kwa kuweza kutukumbuka sisi ndugu zake ambao tumo humu ndani, nafikiri kama sijakosea kila mmoja katika Wodi yake aliweza kuleta *wheelchairs* na *walkers*...

[Applause]

Kabla sijasahau ndugu yangu Mheshimiwa Madialo, mimi natoka katika Wodi ambayo ina walemavu wengi sana, kwa hivyo ukituletea tena mimi unipe mara tatu zaidi ya wale wenzangu unawapatia...

[Applause]

Ni kweli kwa hakika Bi. Spika sisi tunamshukuru Mwenyezi Mungu ametuumba na via vyetu, na Waswahili wanasema hujafa, hujambika.

Kwa hivyo tumuombe Mwenyezi Mungu tukae hivi hivi na afya alitupatia Mwenyezi Mungu. Bi. Spika, walemavu wanaishi katika maisha ya kusikitisha sana; si katika hili Jumba letu tu, hata ukiingilia katika hospitali zengine za kiserikali ...

[Interruption]

Naomba unilinde manake nasikia simama, simama haijulikani kwa simamishwa nini Bi. Spika! Nasikia simama, simama na mimi nimesimama tayari. Kwa hivyo naomba unilinde.

The Temporary Speaker (Hon. Amriya Juma): Proceed Honourable Member.

Hon. Fatma Swaleh: Walemavu wanaishi katika maisha ya kutatanisha, japokuwa ni maisha ambayo Mwenyezi Mungu amewachagulia, lakini pia sisi twatakikana tuwafikirie Bi. Spika. Kwa hivyo nimesimama kuunga mkono hoja hii iliyoletwa na Mheshimiwa wa Wodi ya Chaani, nampa kongole. Ahsante sana.

[Applause]

The Temporary Speaker (Hon. Amriya Juma): Yes, Mheshimiwa Solomon Ngugi?

Hon. Ngugi: Bi Spika ahsante sana. Kwanza niregeshe shukurani kwa Mwenyezi Mungu mwingi wa rehema aliyeturuzuku hidaya ya uzima. Nimesimama hapa mbele kuunga mkono hoja iliyoletwa na Mheshimiwa ndugu yangu wa kutoka kata ndogo ya Chaani ndugu daktari Honourable Franklin Makanga. Swala alilozungumzia ni la ukweli na wengi wetu wamelishuhudia na wamepata kuliongelea. Mimi ninaomba Waheshimiwa wenzangu tuliunge mkono hili jambo na tulisukume lipite, sio tu unavyosema kupanda, hata hizi *tiles* unazoziona zilizowekwa kila mahali hufika wakati zinapooshwa kukawekwa ishara ya kuonyesha kwa njia ya kimombo, “*slippery*” yaani kunateleza na ile ishara amewekwa mtu mzima, sio yule mlemavu manake mwenye magongo ukamwekea kuwa kwateleza, hata akaja na magongo yake bado atateleza ataanguka. Sasa ile ishara haiondoi ule ulemavu wake. Pili, nishukuru serikali ya Kenya kututambua sisi walemavu mpaka leo hii mimi nimeteuliwa kuja kuwakilisha hapa. Walinibadilisha jina kutoka kwa vipofu, mabubu, manani tukapewa jina letu spesheli ambalo tunaambiwa ni maalum, kitengo maalum chetu sisi. Kenya, mojawapo sisi wenye vitengo maalum, hatutozwi ushuru tunapoletwa kitu kwa nchi hatutozwi chochote, twashukuru kwa serikali ya Kenya na si hapo tu, na zile zengine ambazo zitatusaidia sisi kulingana na vile tunavyoishi pia watufanyie. Ahsante sana Bi. Spika, ahsante sana Daktari Makanga kwa kuleta hoja hii hapa.

[Applause]

The Temporary Speaker (Hon. Amriya Juma): Yes, Honourable Salim Baya?

Hon. Salim Baya: Ahsante Mheshimiwa Spika kwa kunipatia nafasi hii na kwanza nimshukuru Mwenyezi Mungu ambaye ametuumba sote na katupatia fursa hii ya kukutana hapa kwenye Nyumba hii. Majina yangu kamili naitwa Hamisi Salim Baya, ambaye nawakilisha kata ndogo ambayo ni kubwa ni Wodi ya Timbwani na napenda kuunga mkono hoja ambayo imeletwa na jirani mwenza Mheshimiwa Franklin Makanga, Daktari, ambayo itakuwa ni mwizi wa fadhila kama nitapinga, kwa sababu Mwenyezi Mungu amenijalia furaha adhimu na akaweza kuniumba nikiwa viungo vyangu viko sawa tisaini kwa mia.

Kwa hivyo naunga mkono hoja hii ililetwa na Mheshimiwa Franklyn Makanga wa Chaani tisaini kwa mia, kawaida yangu nikibakisha zile kumi kwa sababu ya ubinadamu. Ahsanteni.

The Temporary Speaker (Hon. Amriya Juma): Yes, Honourable Madialo.

Hon. Madialo: Ahsante sana. Karibu nikuite *Madam Speaker Sir* lakini nikakumbuka Bi Spika! Ningependa pia kuchukua fursa hii, sitakuwa mwingi wa maneno lakini nilikuwa nataka niende kwa rekodi ya kwamba nimesimama na kuunga mkono hoja hii, ambapo imeletwa na Mheshimiwa Makanga. Vile mwenzangu Honourable Kushe amesema, kusema kweli hata katika Wodi yangu baadhi ya mambo ambayo yalisababisha nichaguliwe ni hiyo kutembea na walemavu; nimebahatika ya kwamba muda hadi muda nimekuwa nikipokea vifaa hivyo kama *wheel chairs, walkers* na ile hii ya makwapani sijui inaitwaje...

Hon. Katana: Miti tembezi...

Hon. Madialo: Miti tembezi! Mswahili amenielezea inaitwa hivyo na nimesaidia sana wale katika Wodi yangu kwa miaka miwili nilipokuwa katika kampeni na wengi katika Wodi waliona jambo hilo na wakasema ikawagusa moyo na pia vile Kushe amesema nimesaidia baadhi yenu na baadhi ya hizi vitu lakini saa hii kuendelea mbele bado nachangia hapo nimeona kwamba Kushe na haswa ndugu yetu Ngugi ndio yatakikana wapokezwe sana kwa mfano Ngugi apokezwe sana kwa sababu yeye ndio yuko kwa kile kitengo.

Mwisho sijui mimi ni mgeni mutanifundisha kidogo *procedure* nilikuwa naomba sijui kama katika Mswada huu isisitizwe pia nikichangia sasa sijui utanipatia mwelekeo ni kwamba pia ile mambo ya kandarasi kwamba pia walemavu kuna kiwango fulani ambapo imewekwa katika Katiba ya kwamba pia itekelezwe kwa sababu haitekelezwi. Kwa hivyo pia wakati tunasema kuhusu walemavu mijengo ikapate kutengenezwa kulingana na pia *specifications* ambapo itasaidia vivyo hivyo. Ningependelea pia jambo hili ya mambo ya kandarasi la walemavu pia iwekwe na ikapate kutekelezwa., Ahsante sana Bi Spika.

[Applause]

The Temporary Speaker (Hon. Amriya Juma): Yes, Honourable Pamela.

Hon. Arwa: Thank you Madam Speaker for giving me this opportunity to contribute. I want to support the Motion moved by Honourable Frankline Makanga, MCA Chaani Ward. I support 100 per cent and I also want to echo what my colleague has said Honourable Milka Areba that let us not just pass this Bill at this Honourable House and take it for granted because even from the look of things the other day the national government advertised the position of the CEC and the PS but it was unfortunate that the People living with disabilities, they did not consider them, even the other day you heard my area MP, Honourable Juma Mishi Mboko was complaining on the same issue. So, it is high time this House put into consideration the matter of PWDs with a great concern, because outside here those people they feel as if they are not God's creatures, so if we consider them in this Honourable House, I think that is a blessing to us as Honourable House because PWDs they have many challenges compared to us, so it is high time we put this matter into consideration and push that their issues be looked at a very sympathetic manner otherwise thank you Madam Speaker.

The Temporary Speaker (Hon. Amriya Juma): Okay, before I accord Honourable Franklin the opportunity to respond to the Motion, I just want to direct the attention of Members to Standing Order 73 that talks about,

1. *The rules of debate, the proceedings will be in English, Kiswahili and Kenya sign language;*
2. *Once a Member begins the speech in any of the language provided for under Clause one shall continue in the same language until the conclusion of the Members' speech.*

So, Members kindly note. Yes, Honourable Frankline please respond to your Motion?

Hon. Makanga: Thank you Madam Speaker. I am so humbled this afternoon that the Honourable Members in this House have been able to resonate and to be in the shoes of the great people that we love people with disabilities who live amongst us. I appreciate the leadership of this House for even considering allowing the Motion to come to the floor and every contribution that has been made by the Honourable Members has been noted and I believe even as we do this while we may say it is our duty to do so, but I can tell you we have touched even the heart of God. Honourable Madam Speaker, one thing that has also come out in the discussion is the issue of the toilets; it is a provision in the law that we ought to have atleast a toilet for each gender that is accessible to the PWDs. Madam Speaker, when you walk also in the corridors of town you will realise that there is only one pavement in town, that is along Digo Road Markiti area where there is a pavement that is disability friendly. So, I believe it is high time that as we pass this Motion, the Committee that will be responsible for Implementation they follow this Motion to have it implemented and further Madam Speaker am aware that the previous House second Assembly they passed a Bill on disability but when they passed the Bill it was not assented to because there were reservations from His Excellency the Governor then. It will be honourable at this House after passing this Motion in the meantime we also move with speed to reintroduce that Bill in this House and also to have a policy document that shall be used to enforce whatever we have passed as a House that we may not only be a legislative House but also, we do our oversight to ensure that our great people become beneficiaries for our leadership. Madam Speaker, I am so grateful for this opportunity that you have given me and my prayer is that to all of us who have made this a success may God richly bless you. Thank you so much Madam Speaker.

[Applause]

The Temporary Speaker (Hon. Amriya Juma): Thank you Honourable Frankline. Now Members, I now put the question that the Motion by Honourable Franklin on the accessibility of buildings by People living with Disability be approved in this House in the same terms as moved.

[Question put and agreed to]

So, the Motion by Hon. Franklin Makanga MCA Chaani Ward on Accessibility of Buildings by Persons with Disabilities in Mombasa County is hereby adopted.

[Applause]

Yes Clerk.

ADJOURNMENT

The House stands adjourned until Wednesday 16th November, 2022 at 10:00a.m.

The House rose at 3:16p.m.